

ORIGEN AND THE TRADITION
OF NATURAL LAW CONCEPTS

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THE development of the doctrine of natural law was one of the significant traditions in patristic and mediaeval thought, as this thought was shaped through the synthesis of pagan and Christian ideas. The philosophical roots of the Christian doctrine of natural law were Greek, and were taken up by Christian writers who saw a fundamental compatibility of Greek ideals and their presuppositions with the ethical aspirations of their community. An initial difficulty here, of course, is that of the ambiguity which exists in the understanding and use of such a designation as *natural law*. In the modern world one readily thinks of natural law in terms of measurable conformities in physical occurrence rather than in terms of universally valid moral and legal rules. In the history of Greek thought the term φύσις is clearly used in more than one sense.¹ Of these senses, there is that which rests upon the apprehension of an absolute pattern of human good in general and of an order of morality and justice which is anterior to custom and convention. νόμος φύσεως, in this sense, is a moral law resting upon the orderly processes of nature as expressed in the persisting potentialities for human excellence, and prescribing the realization of a complete life in accordance with reason. It is with natural law in this sense that we are to be concerned in this treatment of the ethical and political thought of Origen and of the philosophical tradition in which he stands.

In the *Contra Celsum*, in which his doctrine of natural law is largely contained, Origen opposes the fundamental contention of Celsus that the prevailing conventions of a society ought to be respected and preserved inasmuch as they have persisted for human benefit, and that it is an act of impiety to disregard them.² Origen's response to Celsus reflects the old opposition in Greek thought between φύσις and νόμος, to which opposition the concept of natural law really owes its origin. This antithesis itself arose as a certain consequence of the achievements of Ionian natural philosophy on the one hand³ and of the comparative study of human institutions on the other.⁴

¹ For a brief summary of the use of the term φύσις in the history of Greek thought, Cf. H. Leisegang, "Physis," in Pauly-Wissowa, *Real-Encyclopadie der Classischen Altertumswissenschaft*, Neue Bearbeitung, XX (1941) 1130–1164; also, Robert M. Grant, *Miracle and Natural Law* (Amsterdam, 1952) 4–11; John Burnet, *Greek Philosophy* (London, 1914) 27, 74, 105–110.

² Origen, *Contra Celsum*, Bk. V, chap. 25, *Die Griechischen Christlichen Schriftsteller*, vol. 3, edited by Paul Koetschau (Leipzig, 1899) 26: ὅτι ἕκαστοι τὰ πάτρια, ὅποιά ποτ' ἂν τύχη <καθεστηκότα>, περιέπουσι . . . ἄλλα καὶ ὅτι ὡς εἰκὸς τὰ μέρη τῆς γῆς ἐξ ἀρχῆς ἄλλα ἄλλοις ἐπόπταις νενημημένα καὶ κατὰ τινὰς ἐπικρατείας διειλημμένα ταύτη καὶ διοικεῖται καὶ δὴ τὰ παρ' ἐκάστοις ὀρθῶς ἂν πράττοιτο ταυτὴ δρώμενα, ὅπη ἐκείνοις φίλον· παρα λύνειν δὲ οὐχ ὅσιον εἶναι τὰ ἐξ ἀρχῆς κατὰ τόπους νενομισμένα.

³ Cf. Felix Heinimann, *Nomos Und Physis* (Basel, 1945) 125: "Die Entwicklung schient wirklich so verlaufen zu sein, dass. . . durch die von der ionischen Naturphilosophie und

In the period before Plato, one finds in the tragic poet Sophocles⁵ and in certain of the Sophists the germ of the idea of natural and unchanging justice as opposed to conventional justice. We shall trace out briefly the tradition of *νόμος φύσεως* as a moral law from the time of the Sophists to Origen.

Among the Sophists, the distinction between *φύσις* and *νόμος* is drawn by Archelaus, Antiphon, Hippias, Prodicus, Protagoras, Critias and Diagoras. In the doxographical tradition, Archelaus, the pupil of Anaxagoras, was named as the first to distinguish between *φύσις* and *νομος* and to regard prevailing ethical notions as merely conventional — *τὸ δίκαιον εἶναι καὶ τὸ αἰσχροὺν οὐ φύσει, ἀλλὰ νόμῳ*.⁶ In this interest in law and justice, Archelaus was breaking new ground. It is unlikely, however, that he pushed his criticism of existing law to the point of recognizing an absolute ethical norm.⁷ In Antiphon, on the other hand, one finds clearly expressed, not only the opposition of nature and law, but also the indication of righteousness or justice (*δικαιοσύνη*) as consisting in what is required by the laws of nature, in *τὰ δὲ τῆς φύσεως ἀναγκαῖα* in contrast to *τὰ μὲν γὰρ τῶν νόμων ἐπίθετα*.⁸ The rules of human law are based upon agreement (*ὁμολογηθέντα*) as the rules of nature are not. Antiphon is limited in his conception of law in the moral sense by too strict an attention to the model of physical law, and his natural law tends to be a law of sentient life. One finds, however, that the opposition of *φύσις* and *νόμος* leads to a conception of universal human nature which anticipates the cosmopolitan ideas of Hellenistic and Christian thought.⁹ Here the appeal is to *φύσις*, to the common nature of man, as overturning the conventional distinction of Greek and barbarian.

Hippias of Elis states the opposition of *φύσις* and *νόμος* in more moral terms as the opposition of unwritten and written law.¹⁰ Unwritten laws are

besonders von der Medezin gewonne . . . Einsicht der Normhaftigkeit der Physis eine weitere negative Seite des Nomos aufgezeigt wurde, was schliesslich zur Umwertung des im völkergleichenden politischen Denken gewonnen Begriffspaares Nomos-Physis und zu scharfer antithese der beiden Masstäbe führte."

⁵ Cf. Ernest Barker, *Greek Political Theory: Plato and his Predecessors* (London, 1918) 75.

⁶ *Antigone*, 453–457: οὐδὲ σθένειν τοσοῦτον φόμην τὰ σὰ κυρύγμαθ', ὥστ' ἄγραπτα κασφαλῇ θεῶν νόμιμα δύνασθαι θνητὸν ὄνθ' ἱπερδραμεῖν οὐ γάρ τι νῦν γε κἄχθές, ἀλλ' αἰεὶ ποτε ζῇ ταῦτα, κοῦδεὶς οἶδεν ἐξ ὅτου φάνη.

⁷ Hermann Diels, *Die Fragmente der Vorsokratiker*, II (Berlin, 1952) 45.

⁸ Cf. F. Heinemann, *op. cit.*, 113–114.

⁹ H. Diels, *op. cit.*, 346–347: VS 87B, 44A1, 23–27.

¹⁰ *Ibid.*, 353, VS 87B, 44B, 10–27: ἐπεὶ φύσει πάντα πάντες ὁμοίως πεφύκαμεν καὶ βάρβαροι καὶ Ἕλληνας εἶναι. σκοπεῖν δὲ παρέχει τὰ τῶν φύσει ὄντων ἀναγκαῖα πᾶσιν ἀνθρώποις πορίσαι τε κατὰ ταυτὰ δυνάτα πᾶσι, καὶ ἐν πᾶσι τούτοις οὔτε βάρβαρος ἀφώρισται [δ] ἡμῶν οὐδεὶς οὔτε Ἕλλην.

¹¹ For a discussion of the opposition of written and unwritten law and of the importance of ἄγραφος νόμος for Greek ethical theory, cf. Rudolf Hirzel, "Ἀγραφος Νόμος, Des. XX. *Bandes der Abhandlungen der philologisch-historischen Classe der Königl. Sächsischen Gesellschaft der Wissenschaften* (Leipzig, 1900) 49–71, 96.

everywhere the same and are observed in the same way.¹¹ Such laws must have proceeded from the gods rather than from men.¹² Moreover, those who transgress these laws cannot, as is the case with positive or written laws, escape punishment one way or another. Plato represents Hippias as declaring for a universal or common human nature, somewhat in the manner of Antiphon. Men are by nature, rather than by law, kinsmen and friends and fellow-citizens.¹³ Written law, being the tyrant of men, requires many things which are against nature.¹⁴ Doubtless we are still some distance from the moral universalism of Hellenistic times. Nevertheless, these statements ascribed to Hippias are in the direction of the conception of right existing neither by custom nor by private power but by nature.

Aside from what may be singled out in Archelaus, Antiphon and Hippias, the opposition of *φύσις* to *νόμος* by the Sophists did not support any ideas concerning absolute principles of morality and justice.¹⁵ While there are differences in their views as to what right and wrong, just and unjust are, the Sophists are in the main in agreement in reducing all moral matters to subjective opinion, which may or may not have achieved the status of social convention. The position of Protagoras is representative of this general relativistic position: οἰά γ' ἄν ἑκάστη πόλει δίκαια καὶ καλὰ δοκῇ, ταῦτα καὶ εἶναι αὐτῇ, ἕως ἄν αὐτὰ νομίζῃ.¹⁶

One may consider as belonging to this period the fragments, *περὶ νόμου καὶ δικαιοσύνης*, attributed by Stobaeus to Archytas of Tarentum,¹⁷ although evidence has been advanced to contend that these fragments are Hellenistic.¹⁸ In one fragment, the text is as follows: *πονηρῶν ἀθέων νόμοι θεῶν ἄγραφοι ἀντινομιζόμενοι πονηρὰν μοῖραν καὶ ζημίαν τῷ μὴ πειθομένῳ διδόντες*,

¹¹ Xenophon, *Memorabilia*, IV, iv, 19: τοὺς γ' ἐν πάσῃ, ἔφη, χώρα κατὰ ταῦτα νομιζομένους.

¹² *Ibid.*, ἐγὼ μὲν, ἔφη, θεοὺς οἶμαι τοὺς νόμους τούτους τοῖς ἀνθρώποις θεῖναι.

¹³ *Memorabilia*, IV, iv, 21: ἀλλὰ δίκην γέ τοι διδόασιν οἱ παραβαίνοντες τοὺς ὑπὸ τῶν θεῶν κειμένους νόμους, ἣν οὐδενὶ τρόπῳ δυνατὸν ἀνθρώπῳ διαφυγεῖν, ὥσπερ τοὺς ὑπ' ἀνθρώπων κειμένους νόμους ἐνιοὶ παραβαίνοντες διαφεύγουσι τὸ δίκην διδόναι, οἱ μὲν λανθάνοντες, οἱ δὲ βιάζόμενοι.

¹⁴ Plato, *Protagoras*, 337 C-D: ἡγοῦμαι ἐγὼ ὑμᾶς συγγενεῖς τὲ καὶ οἰκείους καὶ πολίτας ἅπαντας εἶναι φύσει, οὐ νόμῳ· τὸ γὰρ ὅμοιον τῷ ὁμοίῳ φύσει συγγενές ἐστιν, ὁ δὲ νόμος τύραννος ὢν τῶν ἀνθρώπων, πολλὰ παρὰ τὴν φύσιν βιάζεται.

¹⁵ Cf. Max Salomon, "Der Begriff des Naturrechts bei den Sophisten," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte*, Romantische Abteilung, 32 (1911) 130-140.

¹⁶ Plato, *Theaetetus*, 167 C; cf. Gorgias, 483 B-C; *Theaetetus* 167 A-B.

¹⁷ Stobaeus, *Anthologium*, edited by C. Wachsmuth and O. Hense (Berlin, 1909) IV, i, 132, 135, 136, 137, 138, pp. 79, 82-88; IV, v, 61, p. 218.

¹⁸ Cf. A. DeLatte, *Essai sur la Politique Pythagoricienne*, *Bibliothèque de la Faculté de Philosophie et Lettres de l'Université de Liege*, Fascicule XXIX (1922) 121-124; also Willy Theiler, "DeLatte: Etudes sur la littérature Pythagoricienne," *Gnomon*, II (1926) 147-150; also Erwin R. Goodenough, "The Political Philosophy of Hellenistic Kingship," *Yale Classical Studies* I (New Haven, 1928) 60-61. It would seem that the issue of dating hangs largely on the interpretation of this passage in Stobaeus: νόμων δὲ ὁ μὲν ἔμψυχος βασιλεὺς, ὁ δὲ ἄψυχος γράμμα (Anthol. IV, i, 135, p. 82).

πατέρες καὶ ἀγεμόνες τῶν γεγραμμένων νόμων καὶ δογμάτων ἀνθρώποις τεθέντων.¹⁹ And in another fragment, *πρῶτος ὦν ὁ νόμος· τούτῳ γὰρ (ἐμμουῶ) ὁ μὲν βασιλεὺς νόμιμος.*²⁰ Law, in order to be just must be conformable to nature (ἀκόλουθον τὰ φύσει), it must be effective (δυνατὸν τοῖς πράγμασι), and be directed to the benefit of the whole community (συμφέροντα τῇ πολιτικῇ κοινωνίᾳ).²¹ Here, in what is preserved by Stobaeus, is the concept of the absolute rules of right, the unwritten laws which, as in Sophocles, are divine and eternal.

In Plato, the opposition of φύσις to νόμος continues as part of a systematic answer to relativism. Plato directed his analysis against the radical Sophists, opposing their relativism through a refutation of sensationalism on the one hand and a positive exposition of the nature of man and of social duty on the other. It is in the main features of Plato's answer to the Sophists that one finds the philosophical foundations of natural law doctrine as it was understood by the Greek fathers of the church, notably Origen of Alexandria.

Plato's philosophy of man affirms the existence of absolute values as constituents of the complete human good, recognizable as such through rational apprehension in contrast to mere opinion, and constituting the basis for a natural order of society as opposed to arbitrary or tyrannical order.²² Plato's conception of human life distinguishes the faculties of appetite (τὸ ἐπιθυμητικόν), spirit (τὸ θυμοειδές), and reason (τὸ λογιστόν) in one essence, with reason as the directive source of all virtuous action.²³ Virtuous action itself is the result of the proper choices which a rational being makes in the exercise of freedom. Both individual and public virtue are the expression of the ordering of life in accordance with what is known to be the proper good for men. The just and the fair cannot be whatever appears as such to a state, so long as it is regarded as such.²⁴

In the *Laws*, Plato speaks of the principles of justice as θεῖος νόμος.²⁵ In connection with his opposition to the skeptical teachings of the Atomists, Plato urges that the lawgiver must defend law itself (and art) as ἐστὸν φύσει ἢ φύσεως οὐχ ἥττονι, ἔπειρ νοῦ γέ ἐστι γεννήματα κατὰ λόγον ὀρθόν.²⁶ What reason apprehends exists by nature. It is important in the state, therefore, to

¹⁹ *Anthologium*, IV, i, 132, p. 79.

²⁰ *Ibid.*, 83.

²¹ Stobaeus, *Anthologium*, IV, i, 136, p. 83.

²² Cf. John Wild, *Plato's Theory of Man* (Cambridge, Mass., 1948) 148–158.

²³ Plato, *Republic*, 443 B ff.

²⁴ Cf. Plato, *Gorgias*, 488 B: πῶς φῆς τὸ δίκαιον ἔχειν καὶ σὺ καὶ Πίνδαρος τὸ κατὰ φύσιν; ἄγειν βιὰ τὸν κρείττω τὰ τῶν ἡττόνων . . . ; also *Gorgias*, 483 D: ἡ δὲ γε οἶμαι, φύσις αὐτὴ ἀποφαίνει αὐτό, ὅτι δίκαιόν ἐστι τὸν ἀμείνω τοῦ χείρονος πλέον ἔχειν καὶ τὸν δυνατότερον τοῦ ἀδυνατωτέρου; also *Laws*, 890 B–C.

²⁵ *Laws*, 716 A ff.

²⁶ *Laws*, 890 D.

order all things in accordance with reason, which ordering alone should be regarded as law.²⁷ Law in the proper sense, being one with reason, extends over the whole of life and prescribes all things that are good.²⁸ And it is in order to preserve the principles of law itself (*σωτηρίαν τῶν νόμων*)²⁹ that men living under written law respect those unwritten laws which are binding in matters where legal governances would be petty, existing only in words and on paper (*λόγῳ τε καὶ γράμμασι νομοθετηθέντα*).³⁰ This unwritten law³¹ acts as a bond in every constitution, filling up the gaps in the written law and in this way supplementing and supporting the whole structure of justice. Such unwritten law must not, however, be confused with mere ancestral custom (*νόμιμα*). For Plato, unwritten law is custom or practice that is well-established (*καλῶς μὲν ταθέντα*),³² in accordance with the principles of just law and in contrast to that which wrongly diverges from the right way (*ἀν δ' ἐκτὸς τοῦ καλοῦ βαίνειν πλημμελῶς*).³³

Aristotle shares essentially the Platonic conception of human nature, with respect to its structure³⁴ and its proper good.³⁵ As there is a social instinct implanted in all men (*φύσει μὲν οὖν ἡ ὁρμὴ ἐν πᾶσιν ἐπὶ τὴν τοιαύτην κοινωνίαν*),³⁶ the state, which embraces all communities, is the creation of nature.³⁷ Man is the worst of creatures when separated from law and justice. The administration of justice is the basis of order in society, and justice can exist only with those whose mutual relations are regulated by law.³⁸ Aristotle makes several distinctions among kinds of law and justice. The fundamental distinction holds political justice to be of two kinds, natural and conventional (*τοῦ δὲ πολιτικοῦ δικαίου τὸ μὲν φυσικὸν ἐστὶ τὸ δὲ νομικόν*).³⁹ Natural justice has the same authority everywhere,⁴⁰ although it is not absolute,⁴¹ whereas conventional justice rests in those matters which may be deter-

²⁷ *Laws*, 714 A: τὴν τοῦ νοῦ διανομὴν ἐπονομάζοντας νόμον . . . τοῦνομα νῶ προσήκον κεκτῆτ', ἀν ὁ θεῖος ἡμῖν καὶ θαυμαστὸς νόμος.

²⁸ *Laws*, 631 B: ἔχουσι γὰρ ὁρθῶς τοὺς αὐτοῖς χρωμένους εὐδαίμονας ἀποτελοῦντες· πάντα γὰρ τὰ ἀγαθὰ πορίζουσι.

²⁹ *Republic*, 425 E.

³⁰ *Republic*, 425 B.

³¹ *Laws*, 793 A–B; *Laws* 788 A.

³² *Laws*, 793 B.

³³ *Laws*, 793 C.

³⁴ Aristotle, *De Anima*, Bk. II, chap. 3, 414 a28–415 a14; *Eth. Nic.*, Bk. I, chap. 13, 1102 a5–1103 a10.

³⁵ *Eth. Nic.*, Bk. I, chap. 7, 1097 a15–1098 a20.

³⁶ *Politica*, Bk. I, chap. 2, 1253 a30.

³⁷ *Politica*, Bk. I, chap. 2, 1253 a1, 1253 a25.

³⁸ *Politica*, Bk. I, chap. 2, 1253 a31–39; *Eth. Nic.*, Bk. V, chap. 6, 1134 a31, Bk. V, chap. 6, 1134 a30.

³⁹ *Eth. Nic.*, Bk. V, chap. 7, 1134 b18.

⁴⁰ *Rhetorica*, Bk. I, chap. 12, 1373 b6–8.

⁴¹ *Eth. Nic.*, Bk. V, chap. 7.

mined initially one way or another (ὁ ἐξ ἀρχῆς μὲν οὐθὲν διαφέρει οὕτως ἢ ἄλλως). Natural justice as universal or common law (λέγω κοινὸν δε τὸν κατὰ φύσιν) is also contrasted with special law (ὁ [μὲν] ἴδιος) which regulates the life of a particular community and which is partly written and partly unwritten.⁴² Whatever the lack of clarity and consistency among these distinctions,⁴³ it would seem that for Aristotle νόμος κοινός is unwritten law which is binding on all men, even on those having no association with each other,⁴⁴ and νόμος ἴδιος, as unwritten law, is merely that which is sanctioned by local custom (τὰ ἔθνη). The fundamental distinction, however, is that drawn between natural and merely conventional justice, written or unwritten.⁴⁵

As compared with the position of Plato, what Aristotle has to say about natural justice is less rigorous, less adequately thought through. There is considerable reason to doubt that in Aristotle δίκαιον φυσικόν is of a higher order than δίκαιον νομικόν. The difference is basically one of generality; δίκαιον φυσικόν is not strictly κατὰ φύσιν. To be sure the metaphysical elements necessary to support a sound concept of natural law are present in Aristotle's general philosophical position, but his social and political philosophy tends to be confined within the limits of prevailing morality.⁴⁶ That which is everywhere the same is that which is right κατὰ φύσιν. This cannot be more clearly seen than in his insistence upon the natural inequality of men and his defense of slavery.⁴⁷

It remained for the Stoics, in the changed setting of Hellenistic times, to present the idea of natural justice with considerable rigour, placing this concept at the very center of their ethics. The roots of Stoic thought were old,

⁴² *Rhetorica*, Bk. I, chap. 9, 1368 b8: νόμος δ' ἐστὶν ὁ μὲν ἴδιος ὁ δε κοινός. λέγω δε ἴδιον μὲν καθ' ὃν γεγραμμένον πολιτεύονται, κοινὸν δὲ ὅσα ἀγραφα παρὰ πᾶσιν ὁμολογεῖσθαι δοκεῖ. Also, *Rhetorica*, Bk. I, chap. 12, 1373 b3-6: λέγω δε νόμον τὸν μὲν ἴδιον τὸν δε κοινόν, ἴδιον μὲν τὸν ἐκάστοις ὠρισμένον πρὸς αὐτούς, καὶ τοῦτον τὸν μὲν ἀγραφον τὸν δε γεγραμμένον, κοινὸν δε τὸν κατὰ φύσιν.

⁴³ Cf. R. Hirzel, "Ἀγραφος Νόμος, p. 11.

⁴⁴ *Rhetorica*, Bk. I, chap. 12, 1373 b7-8: ἔστι γὰρ, ὁ μαντεύονται τι πάντες, φύσει κοινὸν δίκαιον καὶ ἄδικον, καὶ μηδεμία κοινωνία πρὸς ἀλλήλους ἢ μηδὲ συνθήκη.

⁴⁵ Cf. Max Salomon, *Der Begriff der Gerechtigkeit bei Aristoteles* (Leiden, 1937) 48: "Sprachlich ist dabei zu beachten, dass für φυσικόν auch ἀνθρώπινον, κατὰ φύσιν und φύσει gebraucht wird; für νομικόν entsprechend συνθήκη." For a consideration of the relation of absolute justice (ἀπλῶς δίκαιον) and natural justice in Aristotle, Cf. *Ibid.*, 112-116.

⁴⁶ Cf. Julius Kaerst, *Geschichte des Hellenismus*, II (Leipzig, 1926) 131, footnote 2: ". . . so ist doch eine durchgängige und umfassende Verwendung eines allgemeinen Naturrechtes im Sinne der Stoiker bei ihm schon dadurch ausgeschlossen, dass seine Konstruktion auch des idealem Staatswesens sich in den partikularen Schranken der Polis hält." Also, M. Salomon, *Der Begriff der Gerechtigkeit bei Aristoteles*, 55-59.

⁴⁷ Cf. Hans Von Arnim, *Der politischen Theorien des Altertums* (Vienna, 1910) 6-7, on the social presuppositions of Hellenic political life and theory.

however, reaching into the ancient past as far back as Heraclitus. The relation of the Stoa to earlier Greek thought presents a problem of considerable difficulty and one which cannot be gone into here.⁴⁸ Formative influences, at least for Zeno of Citium, appear to have been Cynic and Megarian.⁴⁹ Diogenes Laertius represents the Stoics as regarding themselves related to Socrates through the Cynics, and there appears to have been a Cynic party in the school during the whole of its history.⁵⁰ In early Stoicism one may see the ethical ideal of the Cynics presented in its logical and metaphysical foundations. In their emphasis upon a rigid life of virtue, in their indifference to all that is not dictated or required by "eine allgemeine, gleichbleibende vernünftige Norm,"⁵¹ the Cynics, especially Diogenes of Sinope,⁵² continued the opposition of *φύσις* to *νόμος*. The life of virtue, *κατὰ φύσιν*, is what remains for conduct when all convention and tradition of social life are stripped off. In their asceticism, the Cynics were the natural opponents of those who held pleasure to be the end of life. In their deprecation of the civic community and of civic virtue, the Cynics were the proponents of the idea of the natural equality of all men and of the membership of all men in one single society (*μόνην τε ὀρθὴν πολιτείαν εἶναι τὴν ἐν κόσμῳ*).⁵³

The Stoics continued the ethical emphasis of the Cynics, while raising the Cynic diatribe to the level of complex philosophical discourse. In avoiding much of the harshness and offense of the Cynics, the early Stoics were able to give to the older ideas of natural virtue (*τὸ κατ' ἀρετὴν ζῆν*), natural justice, and human equality a broad currency and respectability.⁵⁴ In this the Stoics were absolutists, utterly opposing the Epicureans who, in their opposition of *φύσις* to *νόμος*, had reduced all moral judgments to taste⁵⁵ and convention.⁵⁶

Of the early Stoic writings, Origen appears to have had first hand knowledge of Chrysippus,⁵⁷ although there are also some references to Zeno.⁵⁸

⁴⁸ Cf. Adolf Dryoff, *Die Ethik der alten Stoa* (Berlin, 1897) Einleitung, p. XV; also Eduard Zeller, *Die Philosophie Der Griechen*, 3¹ (Leipzig, 1923) 27–49.

⁴⁹ Cf. E. Zeller, *op. cit.*, 30.

⁵⁰ Diog. Laert. VII, 2; cf. Donald Dudley, *A History of Cynicism* (London, 1937) 3–4, 25, 99–102, 186 ff.

⁵¹ Kaerst, *op. cit.*, 103.

⁵² Diog. Laert. VI, 20–81.

⁵³ Diog. Laert. VI, 72; cf. Barker, *Greek Political Theory*, 105–107.

⁵⁴ Cf. Martin Rostovtzeff, *The Social and Economic History of the Hellenistic World*, II (Oxford, 1941) 1132.

⁵⁵ Diog. Laert. VII, 85.

⁵⁶ Cf. Paul Barth, *Die Stoa* (Stuttgart, 1903) 144: "In der tat, auch abgeschen von der Ethik, in der ja die Gegensätze am lebhaftesten empfunden werden, selbst in den theoretischen Fragen vertraten die Stoiker immer das gerade Geganteil dessen, was die Epikureer lehrten."

⁵⁷ Origen, *Contra Celsum*, V, 57; I, 40; II, 12; also I, 64; VIII, 51; IV, 63 and 64.

⁵⁸ *Contra Celsum*, I, 5; VIII, 35.

The interest of Origen in Chrysippus was doubtless because of certain emphases in his works, particularly the ideas that virtue (*ἀρετή*) can be lost and that there is some advantage to be gained from the *ἐγκυκλία μαθήματα*.⁵⁹ In general Chrysippus represents a significant development in early Stoicism, giving to its teachings a fundamental exposition.⁶⁰ The concern of Chrysippus with ethics is less total than that of Zeno and Cleanthes, but the importance of ethical matters is just as unmistakable. Continuing the opposition to the Epicureans, Chrysippus speaks of justice in this way: *φύσει τε τὸ δίκαιον εἶναι καὶ μὴ θέσει, ὡς καὶ τὸν νόμον καὶ τὸν ὀρθὸν λόγον*.⁶¹ Justice is natural (and absolute) as virtue is natural, *ἴσον ἐστὶ τὸ κατ' ἀρετὴν ζῆν τῷ κατ' ἐμπειρίαν τῶν φύσει συμβαινόντων ζῆν*.⁶² Life in accordance with nature is life in accordance with the nature of man and the universe. The standard of all good conduct is *ὁ ὀρθὸς λόγος, διὰ πάντων ἐρχόμενος*.⁶³ The virtuous life, as rationally determined, alone is free — *εἶναι γὰρ τὴν ἐλευθερίαν ἐξουσίαν ἀντοπραγίας, τὴν δὲ δουλείαν στέρησιν ἀντοπραγίας*.⁶⁴ True justice is distinct from political or human justice; all true right and duty in the state exists from nature (*ὅτι πράττειν τὰ κοινὰ καὶ πολιτεύεσθαι τῷ ἀνθρώπῳ κατὰ φύσιν ἐστίν*),⁶⁵ and is binding upon all men. Both the knowledge and the exercise of virtue are essential to leadership in the state. Only the wise and the good are fit to be magistrates and judges.⁶⁶

It appears that the Stoics, again in opposition to the Epicureans, taught as a theory of knowledge that there are two veridical modes of apprehension, sensation (*αἴσθησις, καταληπτική φαντασία*) and preconception (*πρόληψις*). Preconception embraces general notions or universals which arise within as the gift of nature (*ἐστὶ δ' ἡ πρόληψις ἔννοια φυσική τῶν καθόλου*).⁶⁷ These general notions are common to all men and they are in their roots inborn (*ἐμφυτοί*) or natural (*φυσικαί*) in contrast to the knowledge which arises solely out of experience.⁶⁸ The *φυσικαὶ ἐννοιαί* are really the standards of perception by which all data of experience are tested. In the moral sphere, these notions represent a certain instinctive knowledge of

⁵⁹ Diog. Laert. VII, 127, 129.

⁶⁰ Cf. Max Pohlenz, *Die Stoa* (Göttingen, 1948) 29–30.

⁶¹ Diog. Laert. VII, 128.

⁶² Diog. Laert. VII, 87.

⁶³ Diog. Laert. VII, 88.

⁶⁴ Diog. Laert. VII, 121–122. On the idea of fate (*εἰμαρμένη*) as distinct from but not opposed to freedom, compare this passage with Diog. Laert. VII, 149.

⁶⁵ Dio Chrysostom, XLVII, 2.

⁶⁶ Diog. Laert. VII, 122.

⁶⁷ Diog. Laert. VII, 54.

⁶⁸ Cf. P. Barth, *Die Stoa*, 82–83, 185; also A. Bonhöffer, *Epiktet und Die Stoa* (Stuttgart, 1890) 191.

good in general, of the particular virtues, and of the existence of God.⁶⁹ These notions may be supported by the common agreement among peoples (*consensus gentium*) but they cannot conversely be refuted by evidence of disagreement.⁷⁰

The importance which Stoic ideas were to have for subsequent philosophical development, particularly for Christian theorists, was to a considerable degree due to the modifications in teachings which occurred in what has been designated as *Middle Stoicism*.⁷¹ It was in this period that Stoic teachers gave evidence of the influence of Platonic thought, as *Middle Platonism* in turn reflected a Stoic influence. This is an eclectic period, in which the representatives of the several schools take up all philosophical materials which may be used in the refutation of Epicureanism and skepticism.⁷² The chief alterations in Stoic ideas in this middle period were those bearing upon the softening of materialism and determinism. Responsible largely for the introduction of a new spirit into Stoicism was Panaetius, who recognized a basic community of purpose between Stoicism and Attic philosophy.⁷³

In a sense, Panaetius modifies original Stoicism in pressing the implications for metaphysics of the affirmation of man's rational nature. If the divine, indwelling in the kosmos, is the source of all life, it must be rational and spiritual. From the divine nature, acting as providence, follow the perfection and fitness of things as they exist in the world. In Middle Stoicism, mechanism becomes absorbed in teleology as materialism yields to the concept of creative rational intelligence.⁷⁴ In the world things are governed by an immanent order, within and corresponding to their forms or natures, which derives from rational design. It is the nature of man to be rational, and from

⁶⁹ Plutarch, *De Stoic repug.*, chap. 17, 1041e; *De Comm. Not.*, ch. 31. Cf. Origen, *Contra Celsum*, IV, 84; VIII, 52; also E. Zeller, *op. cit.*, 76: ". . . die προλήψεις oder die κοινὰ ἔννοιαι, welche die Stoiken als die natürlichen Normen der Wahrheit und Tugend und als das Unterscheidende der vernünftigen Wesen betrachteten . . ."

⁷⁰ Cf. J. Kaerst, *Geschichte des Hellenismus*, I, 136: "Einerseits lieferte allerdings wohl die Erfahrung in dem Einrichtungen den Beweis der Irrationalität und Verkehrtheit vieler Erscheinungen des historischen Lebens; anderseits aber traten der Betrachtung gewisse gemeinsame Grundzüge ethischer Lebensanschauung und Lebensgestaltung entgegen, die als Beweismittel für das Wirken einer allgemeinen Vernunft in den menschlichen Verhältnissen dienten."

⁷¹ Cf. A. Schmekel, *Die Philosophie der Mittleren Stoa* (Berlin, 1892) 1-9, 185-186; also, M. Pohlenz, *Die Stoa*, 191. On the problem of the sources of Middle Stoicism, Cf. A. Schmekel, *op. cit.*, 18-184; also E. Zeller, *op. cit.*, 50-52.

⁷² Cf. Hal Koch, *Pronoia und Paideusis* (Berlin and Leipzig, 1932) 233: "Dieser Eklektizismus, der alles Positive in der Philosophie sammelt, erhält seinen negativen Ausdruck in der absoluten Verachtung Epikurs und teilweise auch des Skeptizismus."

⁷³ Cf. Cicero, *De Legibus*, I, 7, 21 ff; also M. Pohlenz, *Die Stoa*, 195.

⁷⁴ Cf. Cicero, *De Natura Deorum*, II, 29, 73.

the freedom of human reason follows the freedom of human will and action. Human good depends upon the choices and actions of men. Political life arises out of the nature of man and depends upon coöperation founded upon reason. The natural end of man in society is the realization of virtue and happiness among the citizens.⁷⁵

Posidonius expresses the continuing influence of Attic philosophy upon Stoicism, together with elements taken over from the Pythagoreans.⁷⁶ With the whole system of Posidonius we cannot be concerned here. Posidonius affirms that the world is rational, animate and intelligent, being endowed with soul.⁷⁷ In anthropology and ethics, there is the reiteration of the rational nature of man, of the general knowledge of moral principles, and of the capacity of free choice which is bound up with human rationality.⁷⁸ Virtue exists not only in the proper relation of reason to itself and to the lower faculties, but also in the proper choice of the natural and useful things which are essential to the good life.⁷⁹ In justice, virtue is related to the community life. Justice requires that the relations among men follow the prescriptions of reason rather than the common impulses.⁸⁰

As did the early Stoics, Posidonius rests the validity of the moral principles upon the elements of truth which all men bear in themselves. The

⁷⁵ Cf. Stobaeus, *Eclogae Physicae Et Ethicae*, edited by Curtis Wachsmuth (Berlin, 1884) 63-64: ὁμοιον γὰρ ἔλεγεν εἶναι ὁ Παναίτιος τὸ συμβαῖνον ἐπὶ τῶν ἀρετῶν, ὡς εἰ πολλοῖς τοξόταις εἰς σκοπὸς εἶη κείμενος, ἔχοι δ' οὗτος ἐν αὐτῷ γραμμὰς διαφόρους τοῖς χρώμασιν· εἴθ' ἕκαστος μὲν στοχάζοιτο τοῦ τυχεῖν τοῦ σκοποῦ, ἦδη δ' ὁ μὲν διὰ τοῦ πατάξαι εἰς τὴν λευκὴν εἰ τύχοι γραμμὴν, ὁ δὲ διὰ τοῦ εἰς τὴν μέλαιναν, ἄλλος (δὲ) διὰ τοῦ εἰς ἄλλο τι χρῶμα γραμμῆς. Καθάπερ γὰρ τούτους ὡς μὲν ἀνωτάτω τέλος ποιείσθαι τὸ τυχεῖν τοῦ σκοποῦ, ἦδη δ' ἄλλον κατ' ἄλλον τρόπον προτίθεσθαι τὴν τεύξιν, τὸν αὐτὸν τρόπον καὶ τὰς ἀρετὰς πάσας ποιείσθαι μὲν τέλος τὸ εὐδαιμονεῖν, ὁ ἐστὶ κείμενος ἐν τῷ ζῇν ὁμολογουμένως τῇ φύσει, τό του δ' ἄλλην κατ' ἄλλον τυγχάνειν.

⁷⁶ Cf. Paul Wendland, *Die Hellenistisch-Römische Kultur* (Tübingen, 1907) 29-30; also, W. W. Tarn and G. T. Griffiths, *Hellenistic Civilization* (London, 1952) 349-351; A. Schmekel, *op. cit.*, 238-290; Karl Reinhardt, *Poseidonius* (München, 1921) 237-239; Karl Reinhardt, *Kosmos und Sympathie* (München, 1926) 53; also, Strabo, *Geographica*, after Casaubon, II, 3, 8: πολὺ γὰρ ἐστὶ τὸ αἰτιολογικὸν παρ' αὐτῷ καὶ τὸ ἀριστοτελεῖζον, ὅπερ ἐκκλίνουσιν οἱ ἡμέτεροι διὰ τὴν ἐπὶ κρυψὴν τῶν αἰτιῶν.

⁷⁷ Diog. Laert. VII, 142-143.

⁷⁸ Cf. Cicero, *De Natura Deorum*, II, 11, 29; A. Schmekel, *op. cit.*, 257-258, 357, 400 ff.

⁷⁹ Cf. Galen, *De plac. Hipp. et Plat.*, V, 6; also Diog. Laert. VII, 128.

⁸⁰ Cf. Cicero, *De Officiis*, I, 44, 157: "Atque ut apium examina non fingendorum favorum causa congregantur, sed, cum congregabilia natura sint, fingunt favos, sic homines, ac multo etiam magis, natura congregati adhibent agendi cogitandique sollertiam. Itaque, nisi ea virtus, quae constat ex hominibus tuendis, id est ex societate generis humani, attingat cognitionem rerum, solivaga cognitio et ieiuna videatur, itemque magnitudo animi remota communitate coniunctioneque humana feritas qui quaedam et immanitas. Ita fit, ut vincat cognitionis studium consociatio hominum atque communitas." On the idea of primitive nature and its corruption, in Posidonius and the Stoics, Cf. R. Hirzel, *Ἀγγραφος Νόμος*, p. 86; also Otto Schilling, *Naturrecht und Staat nach der Lehre der Alten Kirche* (Paderborn, 1914) 4-6, and A. Schmekel, *op. cit.*, 288.

common notions (*κοινὰ ἔννοιαι καὶ προλήψεις*)⁸¹ arise with experience without deliberate thought, and they are the distinguishing property of the rational nature. These notions are the natural norms of truth and virtue. The criterion of truth is always reason (*λόγος*), as *κοινὸς λόγος* or *ὀρθὸς λόγος* which participates in the universal reason which is in all things. Morality and justice are discovered, therefore, not in experience but through experience.

In this eclectic period the Stoics took over from Platonism materials which had been largely ignored in the skeptical period of the Academy itself. Stoicism, in a sense, took over what was best in Platonism in the further shaping of a philosophy of natural duty under which men act for the preservation of society in the pursuit of a common natural end. The validity and scope of this morality had been established by the early Stoics. Refinements in theory in Hellenic philosophy would be appropriated, therefore, and original Stoic meanings would be modified in the direction of Attic concepts in order to strengthen an ethical universalism which was really Hellenistic. Stoicism, however, was not only to receive, it was also to influence. The skeptical period in the Academy had centered in a debate over the criterion of knowledge and had led to the sensationalism of Carneades. In Philo of Larissa, a pupil of Carneades, a change does occur in the adoption of a milder skeptical position. And in Antiochus of Askalon, a pupil of Philo who had earlier been influenced by Stoic teaching and who had heard Mnesarchus in Athens, there came a distinct revolt against the skepticism of the Academy.⁸² A defense was given of *κατάληψις* as the criterion of truth, an apprehension which presupposes the fulfilment of the normal functioning of sense and reason and of the conditions of representation. This fulfilment is accepted as the presupposition of all knowledge as such. Antiochus saw in certain Stoic ideas merely an extension in development of that Platonic doctrine which he regarded as faithful to the teachings of the old Academy.⁸³ The result was the acceptance not only of Stoic emphases in epistemology but also in anthropology, in ethics, and in cosmology.⁸⁴ To this mixture of Stoic and Platonic elements were added Aristotelian materials in logic and anthro-

⁸¹ Sextus Empiricus, *Adv. Phys.* I, 124.

⁸² For a discussion of this change in the Academy, Cf. M. Pohlenz, *Die Stoa*, 248–255; also, H. Koch, *Pronoia und Paideusis*, 225–235.

⁸³ Cf. Cicero, *De Legibus*, I, 21, 54: “. . . sed ego plane vellem me arbitrium inter antiquam Academiam et Zenonem datum . . . Quia de re una solum dissident, de ceteris mirifice congruunt Quae quidem ad rem pertineat, una, quippe cum antiqui omne, quod secundum naturam esset, quo invaremur in vita, bonum esse decreverint, hic nihil, nisi quod honestum esset, putarit bonum.”

⁸⁴ Cf. H. Chadwick, “Origen, Celsus, and the Stoa,” *Journal of Theological Studies* 48 (1947) 48.

pology.⁸⁵ Middle Platonism, while it might appropriate materials in eclectic fashion from Stoic and Aristotelian sources, had the advantage, in the general opposition to materialism and skepticism, of harmonizing these materials within a basically theistic scheme of things.⁸⁶

Whether from the side of platonizing Stoics or that of stoicizing Platonists, Stoic ethical teachings were set forth in a form more and more acceptable to moral idealists and the devotees of religious philosophy.⁸⁷ In the doxographical work of Arius Didymus, a Neoperipatetic of this period, one finds a statement of Stoic ideas taken over doubtless from an official handbook of the school. To quote just a passage: λέγεσθαι δὲ κόσμον καὶ τὸ οἰκητήριον, θεῶν καὶ ἀνθρώπων καὶ τῶν ἔνεκα τούτων γενομένων. ὃν γὰρ τρόπον πόλις λέγεται διχῶς τό τε οἰκητήριον καὶ το ἐκ τῶν ἐνοικούντων σὺν τοῖς πολίταις σύστημα, οὕτω καὶ ὁ κόσμος οἶονεὶ πόλις ἐστὶν ἐκ θεῶν καὶ ἀνθρώπων συνεστῶσα, τῶν μὲν θεῶν τὴν ἡγεμονίαν ἐχόντων, τῶν δ' ἀνθρώπων ὑποτεταγμένων κοινωνίαν δ' ὑπάρχειν πρὸς ἀλλήλους διὰ τὸ λόγου μετέχειν, ὅς ἐστιν φύσει νόμος· τα δ' ἄλλα πάντα γεγονέναι τούτων ἔνεκα. οἷς ἀκολουθῶς νομιστέον προνοεῖν τῶν ἀνθρώπων τὸν τὰ ὅλα διοικούντα θεὸν, εὐεργετικὸν ὄντα, καὶ χρηστὸν, καὶ φιλάνθρωπον δίκαιόν τε καὶ πάσας ἔχοντα τὰς ἀρετάς.⁸⁸ In this form the Stoic doctrine of natural law persisted just prior to the beginning of the Christian era.

The important center in Hellenistic times for the meeting of philosophy and religion was Alexandria. It was here that the search for moral and spiritual certainty produced a spirit of syncretism in which men became accustomed to entertain what was offered in all doctrines and ceased to a great extent to respect close distinctions in theory.⁸⁹ In syncretism one finds at last the truth in many systems, or, in another sense, the truth as it rests in one system is viewed as reasonably approximated in other systems. We need not be concerned here with any detailed consideration of Alexandrian syncre-

⁸⁵ Cf. H. Strache, "Der Eklektizismus des Antiochus von Askalon," *Philologische Untersuchungen*, hrsq. Kiessling v. Wilamowitz-Moellendorf, Heft 26 (Berlin, 1921).

⁸⁶ Cf. H. Koch, *op. cit.*, 232: "Hier ist der Gedanke einer prinzipiellen Einigkeit der verschiedenen Schulen in Praxis umgesetzt und der Eklektizismus verwicklicht, ohne dass man doch deshalb seine platonische Grundlage aufgegeben hat."; also R. E. Witt, *Albinus and the History of Middle Platonism* (Cambridge Univ., 1937) 8-13.

⁸⁷ Cf. Jules Lebreton, "Le Monde Païen et la Conquête Chrétienne. — La Philosophie Religieuse du Stoïcisme." *Études*, 183 (Paris, Avril-Juin, 1925) 642-643: "Dès l'origine le stoïcisme apparaît comme une école de force morale; il l'est toujours resté. Aux époques troublées de l'empire . . . il se donne aussi comme une école de religion . . ."; also W. W. Tarn and G. I. Griffiths, *op. cit.*, 325.

⁸⁸ Eusebius, *Praeparatio Evangelica*, Bk. XV, chap. XV, J. P. Migne, *Patrologiae Graecae*, 21, p. 1344; cf. H. Diels, *Doxographi Graeci* (Berlin, 1879) 464.

⁸⁹ Cf. E. R. Redepenning, *Origenes. Eine Darstellung seines Lebens und Seiner Lehre*, I (Bonn, 1841-46) 15-22.

tism.⁹⁰ What is important for our interest is the merging of Greek and Hebraic notions of morality and law in Philo. Philo accepts, as did the Fathers after him, the law of Moses as the valid principles of morality and justice revealed to man in the Scriptures. But while this revelation itself is received without benefit of reason, its content is not beyond reason. The divine law is a rational law; it is in the true sense a natural law, being established by God who is the creator of nature itself. This law is, therefore, universal, eternal and unchanging.⁹¹ In making explicit the character and content of this law, Philo follows the mode of designation and discourse which one finds in Plato and in the Stoics. It need not be thought, however, that Philo accepted all of the metaphysical details of the conception of nature represented in the Greek philosophers, particularly the Stoics.⁹² It is sufficiently clear that for him Greek natural law ideas supported an ideal of virtue and justice which was in general agreement with the ancient Hebrew moral law.⁹³ Natural law for Philo is ὁ τῆς φύσεως ὀρθὸς λόγος, ὃς κυριωτέρα κλήσει προσονομάζεται θεσμός, νόμος θεῖος ὢν, καθ' ὃν τὰ προσήκοντα καὶ ἐπιβάλλοντα ἐκάστοις ἀπενεμήθη.⁹⁴ In Philo, θεῖος λόγος, θεῖος νόμος and ὀρθὸς λόγος are frequently used interchangeably.⁹⁵ Law or reason, which is incorporeal, is in the universe and in man, and between these λόγοι there is complete and indistinguishable agreement,⁹⁶ man too possessing a copy of the archetypal mind.⁹⁷

For man, according to Philo, the proper life is that in accordance with nature (τὸ ἀκολουθῶς τῇ φύσει ζῶν).⁹⁸ The rules of reason, being in accord-

⁹⁰ Cf. Paul Wendland, *op. cit.*, 30: "Wir beobachten einen fortgesetzten Progress der Verdünnung, Exzerpierung, Trivialisierung, der sich von der echten, meist alexandrinischen Forschung zu den uns erhaltenen Handbüchern vollzieht. Wir beobachten den Progress in den doxographischen und mythographischen Handbüchern, in den Kommentaren, in den lexikalischen und literarhistorischen Hilfsmitteln."

⁹¹ Cf. Harry A. Wolfson, *Philo*, II (Cambridge, Mass., 1947) 179-180.

⁹² Cf. Erwin R. Goodenough, *An Introduction to Philo Judaeus* (New Haven, 1940) 123-125; also, Goodenough, *By Light, Light* (New Haven, 1935) 58: "The Stoic terms can be used because the terms are themselves older than Stoicism and have no specific materialistic denotation." Also, H. A. Wolfson, *op. cit.*, II, 327-328.

⁹³ For Philo, θεῖος νόμος is prior to the Mosaic code and is associated with personages of the pre-Mosaic age. Cf. *De Abrahamo*, I, 3-4.

⁹⁴ Philo, *De opificio mundi* XLIX, 143.

⁹⁵ *De Migratione Abrahami*, 130.

⁹⁶ *Quis rerum divinarum heres*, 48, 233; cf. *De Vita Mosis*, II, 25, 127: διπλοῦν δὲ τὸ λογιεῖν οὐκ ἀπὸ σκοποῦ. διττὸς γὰρ ὁ λόγος ἐν τε τῇ παντὶ καὶ ἐν ἀνθρώπου φύσει· κατὰ μὲν τὸ πᾶν ὁ τε περὶ τῶν ἀσωμάτων καὶ παραδειγματικῶν ἰδεῶν, ἐξ ὧν ὁ νοητὸς ἐπάγῃ κόσμος, καὶ ὁ περὶ τῶν ὀρατῶν, ἃ δὴ μιμήματα καὶ ἀπικονίσματα τῶν ἰδεῶν ἐκείνων ἐστίν, ἐξ ὧν ὁ αἰσθητὸς οὗτος ἀποτελεῖται; also, *De opificio mundi*, 23, 69.

⁹⁷ *Heres*, 48, 230-231.

⁹⁸ *Quod Omnis Probis Liber Sit*, XXII, 160.

ance with nature and with truth, govern all of the relations of men.⁹⁹ Justice is the specific virtue which, for Philo, connects social existence with the order of nature. Justice or righteousness rests in the laws and statutes of nature (φύσεως νόμοις καὶ θεσμοῖς).¹⁰⁰ Natural justice (ὁ ὀρθὸς λόγος) is, accordingly νόμος δὲ ἀψευδὴς . . . οὐχ ὑπὸ τοῦ δέινος ἢ τοῦ δέινος, θνητοῦ φθαρτός, ἐν χαρτιδίῳ ἢ στηλαίς, ἄψυχος ἀψύχοις, ἀλλ' ὑπ' ἀθανάτου φύσεως ἄφθαρτος ἐν ἀθανάτῳ διανοίᾳ τυπωθεῖς.¹⁰¹ Right reason, in what it prescribes and forbids, is the source of all other law,¹⁰² nature itself being the most venerable of statutes.¹⁰³

In the course of his exposition of the nature of justice, Philo distinguishes the more general principles of right (καθολικώτεροι) from the particular laws (μέροι) which are at best copies (εἰκόνοι) of unwritten models. To be just, a particular rule, whether written or unwritten, must not be inconsistent with these general principles.¹⁰⁴ The general or unwritten law itself incorporates and reflects the dictates of nature or reason, even as just men are themselves a sort of living rational law (οἱ γὰρ ἔμφυχοι καὶ λογικοὶ νόμοι ἄνδρες ἐκείνοι γεγόνασιν). For Philo, the unwritten law (καθολικότεροι) is not simply general law.¹⁰⁵ The lives of the Patriarchs (and the law of Moses) simply bring forth for men the intention of nature itself.

As practical morality, Philo understands natural justice to be a program of philanthropy (φιλανθρωπία).¹⁰⁶ Justice in society consists in equality for

⁹⁹ *Mos.*, II, 25, 128: ὁ τε γὰρ τῆς φύσεως λόγος ἀληθὴς καὶ δηλωτικὸς πάντων ὁ τε τοῦ σοφοῦ μιμούμενος ἐκείνους ὀφείλει προσηκόντως ἀψευδέστατος τε εἶναι τιμῶν ἀλήθειαν καὶ μηδὲν φθόνῳ συσκιάζειν, ὧν ἡ μήνυσις ὠφελήσῃ τοὺς ἀναδιδαχθέντας; also *Mos.*, II, 25, 130: λόγου δὲ οὐδὲν ὀφελος τὰ καλὰ καὶ σπουδαῖα σεμνηγοροῦντος, ᾧ μὴ πρόσσεστιν οἰκείων ἀκολουθία πράξεων.

¹⁰⁰ *De Somnis*, II, 26, 174–175.

¹⁰¹ *Prob.*, VII, 46–47.

¹⁰² *Ibid.*, 47.

¹⁰³ *Abr.* I, 6; also, *De Josepho*, VII, 29: ἡ μὲν γὰρ μεγαλόπολις ὅδε ὁ κόσμος ἐστὶ καὶ μὴ χρήται πολιτείᾳ καὶ νόμῳ ἐνί· λόγος δὲ ἐστὶ φύσεως προστατικὸς μὲν ὧν πρακτέον, ἀπαγορευτικὸς δὲ ὧν οὐ ποιητέον.

¹⁰⁴ Philo appears to think of particular law (τῶν ἐν μέρους) at times as explicit or enacted legislation, whether general or specific (*Abr.* I, 5), which would include the law of Moses, and at other times to confine the term to enacted laws other than the law of Moses, which is therefore general law (*De congressu eriditionis gratia*, 21, 120). Cf. H. A. Wolfson, *op. cit.*, 180–182.

¹⁰⁵ I should be inclined to disagree with Professor Wolfson (Cf. *Philo*, II, 180–181) that Philo thinks of natural law as general law in the strictly Aristotelian sense of general or unwritten law. Philo's treatment of natural law is Platonic and Stoic rather than Aristotelian. The law of nature is not simply general law, but general principles prescribed by reason. Aristotle's natural law is closer to *iūs gentium* while Philo would seem to have the stronger concept of *iūs naturale*.

¹⁰⁶ Cf. Émile Brehier; *Les Idées Philosophiques et Religieuses de Philon d'Alexandrie* (Paris, 1908) 253: "L'Idée stoïcienne que a les plus influé sur Philon, est celle de la fraternité universelle fondée sur l'origine commune des êtres. Chez lui se trouve textuellement le précepte non seulement de non pas nuire à ses ennemis, mais tâcher de leur être utile."

all, in the giving to each man what is his due. Humanity, like piety, is a queen among the virtues.¹⁰⁷ The proper aim of lawgiving is to produce the social affections through which happiness may be realized for the whole of mankind.¹⁰⁸ This common good transcends social convention and destroys the distinction of citizen and stranger, of free and slave. Just law is an instrument of universal human well being.¹⁰⁹

It is against the background of the eclecticism and syncretism which centered in Alexandria that the work of the Christian fathers, Clement and Origen, becomes intelligible. In the catechetical school of Clement, as the successor of Pantaenus, “. . . était devenu l'héritier des traditions formées à Alexandrie, depuis que la religion biblique avait voulu se faire comprendre des Grecs d'Égypte, au temps de Philon.”¹¹⁰ But this use of Greek materials was not a matter of mere convenience of terminology and phraseology in the work of conversion, instruction, and apology. Behind the appropriation of the resources of culture for purposes of demonstrating the faith was the recognition of the compatibility of certain Greek philosophical notions with Christian teachings. In this light Clement sees Greek philosophy as a divine gift granted as a preparation for the Gospel.¹¹¹ And this harmony of Greek and Christian thought was recognized as taking root in the issues pertaining to the task and conduct of life, that of *ὁμοίωσις θεῷ κατὰ τὸ δυνατόν· ὁμοίωσις δὲ δίκαιον καὶ ὅσιον μετὰ φρονήσεως γενέσθαι*.¹¹² This is the emphasis on ethics which entails rather than excludes metaphysics.

In their interest in and use of philosophical materials, Christian writers would encounter the deposit of metaphysical and ethical concepts which had persisted in Middle Stoicism, in Middle Platonism,¹¹³ in Philo, as well as in the doxographical literature. According to Eusebius, a catechetical school

¹⁰⁷ *De Virtutibus*, XVIII, 95.

¹⁰⁸ *Virt.*, XXIII, 119.

¹⁰⁹ On the application of *φιλανθρωπία* to details of social regulation, cf. *De Virtutibus*, XIV–XXV. On the limitations of Philo's application of *φιλανθρωπία*, cf. E. Goodenough, *Introduction to Philo Judaeus*, 163–164.

¹¹⁰ René Cadiou, *La Jeunesse d'Origène* (Paris, 1935) 10.

¹¹¹ Clement, *Stromateis*, Bk. I, chaps. 1–5, 20.

¹¹² Plato, *Theaetetus*, 167 B.

¹¹³ Cf. R. E. Witt, *op. cit.*, 29: “In the history of ancient thought the second century of the Christian Era is an age in which the chief attraction is the Platonic philosophy. Besides Platonists proper . . . mention may be made in this connection of Nicomachus and Numenius among the Neopythagoreans, the Hermetists and Gnostics, Aepasius and Adrastus among the Peripatetics, Marcus Aurelius among the Stoics, and Pantaenus and Clement among the Christian Catechetical School at Alexandria. It is certainly true that the revival of dogmatic Platonism had begun two centuries earlier, but its influence hardly becomes predominant 'till this date . . . Platonism itself has readily absorbed the teaching of other Schools . . . the eclectic character of Middle Platonism persists, though admittedly there is a general lack of systematization.” Also, cf. 115–116.

appeared early in the history of the church in Alexandria,¹¹⁴ but little that is precise is known of this institution until the time of Pantaeus and Clement.¹¹⁵ Pantaeus, about whose reputation and influence there is some disagreement between Eusebius and Clement, had been a Stoic philosopher before his conversion.

It is with Clement, however, that the philosophic importance of Christian teaching in Alexandria is unmistakable. Within a framework of thought which was declared to be basically scriptural,¹¹⁶ Clement incorporated Platonic and Stoic ideas as ἀληθείας οὖσαν εἰκόνα ἐναργῆ and which μήτε ἡμᾶς ἀποσπᾶσθαι τῆς πίστεως, οἷον ἀπό τινος ἀπατηλοῦ τέχνης καταγοητευομένους ἀλλ', ὡς ἔπος εἰπεῖν . . . ἀμηγέπη συγγυμνασίαν τινὰ πίστεως ἀποδεικτικὴν ἐκπορίζεσθαι.¹¹⁷ With this philosophic material,¹¹⁸ Clement defended a Christian conception of human life which embraced the notion of universal virtue and of universal justice in society.

In an important passage, Clement indicates the scope of ethical questions as follows: ἐν τε αὖ τοῖς ἀνθρώποις τί τε αὐτός ἐστιν ὁ ἄνθρωπος, καὶ τί αὐτῷ κατὰ φύσιν ἢ παρὰ φύσιν ἐστί· πῶς τε αὖ ποιεῖν ἢ πάσχειν προσήκει· τίνες τε ἀρεταὶ τούτου, καὶ κακίαι τίνες· περὶ τε ἀγαθῶν, καὶ κακῶν, καὶ τῶν μέσων. ὅσα τε περὶ ἀνδρείας, καὶ φρονήσεως, καὶ σωφροσύνης, τῆς τε ἐπὶ πᾶσι παντελοῦς ἀρετῆς δικαιοσύνης.¹¹⁹ Clement speaks of the nature of man as basically the same in all individuals, which is the foundation of the uniformity of virtue: κοινὴ γὰρ ἀπάντων τῶν ἀνθρώπων, τῶν γε ἐλομένων, ἢ σωφροσύνη. ὡμολόγεται δ' ἡμῖν τὴν αὐτὴν φύσιν κατὰ γένος ἕκαστον, τὴν αὐτὴν καὶ ἴσχειν ἀρετὴν. οὐκ ἄλλην τοῖνυν πρὸς τὴν ἀνθρωπότητα φύσιν ἔχει ἢ γυνή, ἄλλην δὲ ὁ ἀνὴρ φαίνεται, ἀλλ' ἢ τὴν αὐτὴν. ὥστε καὶ τὴν ἀρετὴν.¹²⁰ The ruling or ordering principle in man is practical reason (φρόνησις), from which follows man's rational self-determination or freedom (τὸ ἀνθαίρετον τῆς ἀνθρωπίνης ψυχῆς). It is contrary to nature, therefore, to enslave any man, which is to cause to act under compulsion one whose nature it is to act voluntarily. Virtue, accordingly, is not innate,

¹¹⁴ Eusebius, *Historia Ecclesiastica*, V, 10.

¹¹⁵ Cf. R. B. Tollington, *Clement of Alexandria*, I (London, 1914) 45–48.

¹¹⁶ Cf. *Strom.*, Bk. I, chaps. 1–5; Bk. VII, chap. 1.

¹¹⁷ *Strom.*, Bk. I, chap. 2, Migne, PG 8, col. 710. Cf. R. B. Tollington, *op. cit.*, I, 52.

¹¹⁸ On the character of the philosophic dependence of Clement on Philo, cf. E. Goodenough, *Introduction to Philo Judaeus*, 125–126; also, R. B. Tollington, *op. cit.*, 165. “. . . in truth Clement's debts cannot be assessed by . . . particular appropriations. Philo's teaching had become part of the religious atmosphere of Alexandria, and far-reaching principles . . . came into Christianity through him, as well as particular statements about Moses and encyclical education. And whether Clement could have been a Christian Platonist unless Philo had been a Jewish Platonist before him, is indeed a question to be asked rather than answered.”

¹¹⁹ *Strom.*, Bk. VII, chap. 3, Migne, PG 9, col. 422.

¹²⁰ *Strom.*, Bk. IV, chap. 8, Migne, PG 8, col. 1272.

nor does it develop as the members of the body. It is the result of the free choices of men, otherwise there would be no basis for the praise of right conduct.¹²¹

For Clement, man is by nature a social being.¹²² One cannot, therefore, accept the fact of injustice without either denying the existence of God or contending that God does not oversee all things.¹²³ There is such a thing as just law: νόμος δέ ἐστιν οὐ τὰ νομιζόμενα (οὐδὲ γὰρ τὰ ὁρώμενα ὄρασις) οὐδὲ δόξα πᾶσα· (οὐ γὰρ καὶ ἡ πονηρά·) ἀλλὰ νόμος ἐστι χρηστὴ δόξα, χρηστὴ δὲ ἡ ἀληθής, ἀληθὴς δὲ ἡ τὸ ὄν εὐρίσκουσα, καὶ τούτου τυγχάνουσα.¹²⁴ This law is λόγος ὁρθός, commanding what is to be done and forbidding the contrary.¹²⁵ It is known to each man through his possession of reason and is therefore common to all.¹²⁶ Natural law is the foundation of all just law in the state,¹²⁷ a good polity being by nature the good discipline of men in social life.¹²⁸ The just social order is not merely the prevailing order but *τι σύστημα, καὶ πλήθος ἀνθρώπων ὑπὸ νόμου διοικούμενον . . . ἀτυράννητος πόλις ἐπὶ γῆς· θέλημα θεῶν ἐπὶ γῆς, ὡς ἐν οὐρανῷ.*¹²⁹ In such an order, the provisions of justice are to be extended to all men and even servants are to be treated as equals — *οἰκέταις μὲν χρηστέον, ὡς ἐαυτοῖς· ἄνθρωποι γὰρ εἰσιν, ὡς ἡμεῖς· ὁ γὰρ θεὸς πᾶσιν, τοῖς ἐλευθέροις, καὶ τοῖς δούλοις, ἐστὶν, ἅν σκοπῆς, ἴσος.*¹³⁰

As with Philo, in Clement the principles of the law of nature are set forth in the law of Moses and of the Apostles; reason and revelation present the same moral truth. In Moses natural law has an example in the work of the just lawgiver who is, for Clement as for Philo, νόμος ἔμφυχος . . . τῷ χρηστῷ λόγῳ κυβερνώμενος.¹³¹ The true legislator is he who properly provides for the whole good of the governed, in sponsoring through law the conditions essential to virtue.¹³² This is the possession and the use of wisdom and in this

¹²¹ *Strom.*, Bk. VII, chap. 3.

¹²² *Strom.*, Bk. I, chap. 6.

¹²³ *Strom.*, Bk. VII, chap. 3.

¹²⁴ *Strom.*, Bk. I, chap. 25, Migne, PG 8, col. 913.

¹²⁵ *Strom.*, Bk. I, chap. 25; Cf. *Paedagogos*, Bk. III, chap. 12, Migne, PG 8, col. 677: πάντα ὁ λόγος καὶ ποιεῖ, καὶ διδάσκει, καὶ παιδαγωγεῖ.

¹²⁶ *Paed.*, Bk. III, chap. 12; Migne, PG 8, col. 673: τοιοῦδε μὲν οἱ λογικοὶ νόμοι, οἱ παρακλητικοὶ λόγοι οὐκ ἐν πλαξὶ λιθίναις δακτύλῳ γεγραμμέναις Κυρίου, ἀλλ' ἐν καρδίαις ἀνθρώπων ἐναπογεγραμμένοι, ταῖς μόνον φθορὰν οὐκ ἐπιδεχομέναις.

¹²⁷ *Strom.*, Bk. VII, chap. 3. Migne, PG 9, col. 421: ὁ πάντων ἡγεμὼν θητῶν τε καὶ ἀθανάτων, βασιλεὺς τε καὶ γεννήτωρ τῶν καλῶν, νόμος ὢν ὄντως καὶ θεσμὸς καὶ λόγος αἰώνιος.

¹²⁸ *Strom.*, Bk. I, chap. 26.

¹²⁹ *Strom.*, Bk. IV, chap. 26, Migne, PG 8, col. 1381.

¹³⁰ *Paed.*, Bk. III, chap. 12, Migne, PG 8, col. 672.

¹³¹ *Strom.*, Bk. I, chap. 26; *Ibid.*: μόνον γοῦν τὸν σοφὸν οἱ φιλόσοφοι βασιλέα νομοθέτην, στρατηγὸν, δίκαιον, ὁσιον, δεοφιλή, κυρτυτουσιν (Migne, PG 8, col. 916).

¹³² *Strom.*, Bk. I, chap. 26, Migne, PG 8, p. 916: παιδευτικὴ μὲν τῶν οἶων τε γενέσθαι καλῶν κ' ἀγαθῶν ἀνδρῶν, θηρευτικὴ δὲ τῶν ὁμοίων τούτοις· ἥτις ἂν εἴη στρατηγική· . . . οὕτω γε καὶ τὴν

Moses was truly wise.¹³³ The law of Moses makes explicit the intention of eternal reason. Moses is not the source of law but the lawgiver who is truly obedient to the law which is anterior to himself. The law of Moses reveals the essence of law ἀπλῶ καὶ μονογενεῖ αἰνιττομένη στοιχείῳ.¹³⁴ The same basic moral truth is given also in subsequent dispensations recorded in the Scriptures. It is summed up in the all-embracing concept of the New Testament <<καθὼς θέλετε ἵνα ποιῶσιν ὑμῖν οἱ ἄνθρωποι ποιεῖτε καὶ ὑμεῖς αὐτοῖς>>.¹³⁵

In Clement the main lines of a Christian doctrine of natural law are laid in ideas of the divine governance of things (ἡ πρόνοια), of the basic uniformity of human life, of human rationality and freedom, of the universality of moral rules and the supremacy of natural law to positive law (τὰ νομιζόμενα) and mere opinion (δόξα πάσα), of the basic harmony of natural law and the moral teachings of the Scriptures. The philosophic roots of Clement's doctrine were Platonic and Stoic, with the ethical universalism of Stoicism providing the link between Christianity and Platonism. It remained for Origen to continue the ethical emphases of Clement and, in a more adequate attention to principles,¹³⁶ to defend the validity of natural justice against the claims of ethical and cultural relativism. This one finds, aside from what appears scattered throughout his writings, expressed primarily in the development of his arguments against the pagan controversialist, Celsus.¹³⁷

In treating of the doctrine of natural law which constitutes the core of Origen's answer to Celsus, one should consider first the problem of the philosophical sources from which Origen's thought was drawn. Thinking first of indirect influences, there is of course the general eclectic and syncretistic atmosphere of the intellectual life of Alexandria in the first centuries of the Christian era, in which representatives of all of the schools sought an answer to skepticism and materialism. Much of this Origen would have encountered in association with Clement, who had achieved a synthesis of

νομοθετικὴν τὴν ἀνθρώπων ἀρετὴν κατασκευάζειν ἐροῦμεν, τὸ ἀνθρώπινον κατὰ δύναμιν ἀγαθὸν ἀναζωπυροῦσαν, ἐπιστατικὴν οὖσαν καὶ κηδεμονικὴν τῆς ἀνθρώπων ἀγέλης; also *Strom.*, Bk. I, chap. XXVII.

¹³³ Cf. *Strom.*, Bk. I, chap. 24, Migne, PG 8, col. 908: βασιλεύς τοίνυν ἐσοὶν ὁ ἄρχων κατὰ νόμους ὁ τὴν τοῦ ἄρχεον ἐκόντων ἐπιστήμην ἔχων.

¹³⁴ *Paed.*, Bk. III, chap. 12, Migne, PG 8, col. 668.

¹³⁵ *Paed.*, Bk. III, chap. 12, Migne, PG 8, coll. 665–668.

¹³⁶ Cf. H. Chadwick, "Origen, Celsus, and the Stoa," *Journal of Theological Studies* 44 (1947) 49.

¹³⁷ Cf. Porphyry's description of Origen in Eusebius, *Hist. Eccl.*, VI, 19, 7, Migne, Vol. 20, p. 565: κατὰ μὲν τὸν βίον χριστιανῶς ζῶν καὶ παρανόμως, κατὰ δὲ τὰς περὶ τῶν πραγμάτων καὶ τοῦ θείου δόξας ἐλληνίζων τε καὶ τὰ Ἑλλήνων τοῖς ὀθνεῖς ὑποβαλλόμενος μύθοις. On the identity of the Origen of this passage as the Christian catechist, cf. René Cadiou, *op. cit.*, 233–240, 252–262.

Plato, Stoicism, and the Scriptures, and in whom *ὁμοίωσις θεῷ* had become an ideal of Christian perfection.¹³⁸

Turning to direct sources, one encounters two difficulties in the writings of Origen himself, namely the dearth of citation, in contrast to the writings of Clement, and the apparent imprecise use of terms in accordance with the conventions of the doxographical handbooks.¹³⁹ These aspects of Origen's style may be taken to reflect merely the relationship of the writer to his source materials, a relationship of mastery and detachment.¹⁴⁰ Moreover, the syncretistic interest seeks agreement rather than disagreement, and tends to seize upon the adjusted meanings which come to be attached to words and phrases whatever the original meanings in context.¹⁴¹ There is evidence that Origen was acquainted with the doxographical handbooks of the time, many of which were compilations made by Stoics, notably the encyclopedia of Herophilus.¹⁴²

Aside from the use of philosophical handbooks, there is evidence of works known by Origen at first hand.¹⁴³ According to the account in Eusebius of Porphyry's work against the Christians, Origen read Plato and Longinus; the Pythagoreans Numenius, Cronius, Moderatus and Nicomachus; and

¹³⁸ Cf. Walther Völker, *Das Vollkommenheitsideal des Origen* (Tübingen, 1931) 146–147.

¹³⁹ Cf. H. Koch, *Pronoia und Paideusis*, 229; also, P. Koetschau, G.-C.S. vol. 2, Einleitung, pp. XXIX–XXXI.

¹⁴⁰ Cf. H. Chadwick, *op. cit.*, 48; also, H. Koch, *op. cit.*, 169, footnote 1: "Wenn er so wenig zitiert, steht dies sicher im Zusammenhang damit, dass alle der Philosophie entnommenen Einzelheiten ihm wirklich eigen, sein eigenes Fleisch und Blut geworden sind. Sie sind nicht als heterogene Bestandtheile in seiner Begriffswelt stehen geblieben . . . Es fand deshalb keinen Grund, die Philosophen zu zitieren, wenn sie auch Richtiges sagten, da man dasselbe besser und klarer in der Schrift ausgesprochen fand; . . ."

¹⁴¹ Cf. G. Bardy, "Origène et L'Aristotelisme," *Mélanges Gustave Glotz* (Paris, 1932) 76: "Au reste, le platonisme, le stoïcisme et le pythagorisme sont bien, au III^e siècle de notre ère, les seules écoles qui continuent à vivre et à exercer leur influence: on en mélange les éléments en des syncrétismes plus ou moins subtils; on en emploie le vocabulaire, sans respecter toujours le sens original des termes techniques; mais il est bien peu d'écrivains, profanes ou chrétiens, qui ne doivent quelque chose de leur pensée et de leur style à l'un ou à l'autre de ces systèmes."

¹⁴² Cf. René Cadiou, "Dictionnaires Antiques dans L'Oeuvre d'Origène," *Revue des Etudes grecques*, XLV (October, 1932) 273–274; also Erich Klosterman, "Ueberkommene Definitionen im Werke des Origenes," *Zeitschrift für die Neutestamentliche Wissenschaft*, XXXVII (1938) 54–61; also, *Com. In Psalmos*, Migne, PG 12, col. 1053: 'εκ δε τῶν Ἡροφίλου περὶ Στωϊκῆς ὀνομάτων χρήσεως οὕτως: «(τέλος δ' εἶναι λέγουσι κατηγορήματα οὗ ἕνεκεν τὰ λοιπὰ πράττομεν, αὐτὸ δὲ οὐδενός ἕνεκεν· τὸ δὲ συζυγοῦν τούτῳ, καθάπερ ἡ εὐδαιμονία τῷ εὐδαιμονεῖν, σκοπὸν ὃ δὴ ἔσχατόν ἐστι τῶν αἰρετῶν)».

¹⁴³ On the general pedagogical method of Origen, cf. Gregory Thaumaturgus, *Oratio Panegyrica In Origenem*, chap. XIII, Migne, PG 10, col. 1088: φιλοσοφεῖν μὲν γὰρ ἡξίου ἀναλεγόμενους τῶν ἀρχαίων πάντα ὅσα καὶ φιλοσόφων καὶ ὑμνωδῶν τι γράμματα πάσῃ δυνάμει μηδὲν ἐκποιουμένους μηδ' ἀποδοκιμάζοντας . . . πλὴν ὅσα τῶν ἀθέων εἶη, ὅσοι ἐκκυλισθέντες ὁμοῦ καὶ τῶν ἀνθρωπίνων ἐννοιῶν, οὐκ εἶναι θεὸν ἢ πρόνοιαν λέγουσι. The view of Cadiou (*La Jeunesse d'Origene*, 28) which limits the knowledge of Origen to compilations is extreme.

the Stoics Apollonphanes, Chaeremon and Cornutus.¹⁴⁴ There is reasonable internal evidence that Origen read certain dialogues of Plato, chiefly *Republic*, *Laws*, *Timaeus*, *Phaedrus*;¹⁴⁵ certain works of Aristotle, *De Anima* and probably *Ethica Nicomachea*;¹⁴⁶ and writings of the Stoics, chiefly Zeno and Chrysippus.¹⁴⁷ It appears also that Origen had some knowledge of the Sophists, Epicureans, and Peripatetics,¹⁴⁸ *ψευδοδοξοῦντες φιλόσοφοι*, the refutation of whom he regarded as necessary from the Christian standpoint.

The philosophical structure of Origen's thought is Platonic with such emphases and adjustments as suited his theological and ethical commitments as a Christian. This is Middle Platonism with its synthesis of Platonic, Aristotelian and Stoic elements,¹⁴⁹ its rejection of materialism and determinism, and its affirmation of divine providence and justice. For the Christian philosopher, in his monistic doctrine of divine creation, *ὁμοίωσις θεῷ* entails the acceptance and justification of providence as sustaining a world in which virtue on the one hand and ultimate spiritual redemption on the other (*ἡ ἀποκατάστασις*) are attainable. This is the problem of theodicy with which Plato and particularly the Stoics were so greatly occupied. In bringing the practical problems of religion and ethics under the larger scope of world process, Origen reflects, not only the importance of Christian eschatology,¹⁵⁰ but also the influence of other currents of oriental thought in Alexandria through Philo, Numenius,¹⁵¹ Ammonius Saccas¹⁵² and others. In this Origen

¹⁴⁴ Eusebius, *Hist. Eccol.* VI, 19, 8. There is good reason to doubt that Origen read the writings of Longinus, a younger contemporary.

¹⁴⁵ Cf. Paul Koetschau, G.-C.S. vol. 3, Stellenregister, 435–436; also *Contra Celsum*, Bk. IV, chap. 51.

¹⁴⁶ Cf. G.-C.S. vol. 3, Stellenregister, 432; also, *Contra Celsum*, Bk. V, chap. 45; Bk. VIII, chap. 3; Bk. VI, chap. 62.

¹⁴⁷ Cf. G.-C.S. vol. 3, Stellenregister, 432, 438; also, *Contra Celsum*, Bk. I, chap. 5; Bk. IV, chap. 3. On Chrysippus, cf. J. von Arnim, *Stoicorum Veterum Fragmenta*, I (Leipzig, 1905) Praefatio, p. XLVI.

¹⁴⁸ Cf. G.-C.S. vol. 3, Stellenregister, 433; also, *Contra Celsum*, Bk. II, chap. 27.

¹⁴⁹ On the relation of Origen to the contemporary schools of philosophy, cf. H. Koch, *op. cit.* 225–235, 301–304; also, R. E. Witt, *Albinus and the History of Middle Platonism* 14. On the influence of Aristotle on Origen, cf. G. Bardy, *op. cit.*, 78–83.

¹⁵⁰ Cf. R. Cadiou, *La Jeunesse d'Origène*, 169–170: En méditant sur l'état de dépendance, sur la lutte et l'effort qui sont la condition des êtres raisonnables, on comprenait mieux aussi comment s'opèrent le salut, le progrès et le retour à Dieu. Ainsi la pensée était toujours ramenée à la question de rechercher un mode de participation, une relation entre le monde spirituel et son principe qui pussent sauvegarder les conditions de la religion chrétienne." Also, E. R. Redepenning, *Origenes*, I, 22.

¹⁵¹ Cf. Charles Bigg, *The Christian Platonists of Alexandria* (Oxford, 1886) 241–253; also, E. Zeller, *Die Philosophie der Griechen*, vol. 3^a, pp. 234–241.

¹⁵² Cf. F. Heinemann, "Ammonios Sakkas und der Ursprung des Neuplatonismus," *Hermes*, LXI (1926) I, p. 12; also R. Cadiou, *La Jeunesse d'Origène*, 184–203, especially, 190.

goes beyond the synthesis of Clement in the incorporation of elements of Alexandrian neoplatonism flourishing at the beginning of the third century.

The whole question of the foundation and character of just law as an issue of philosophic discussion was specifically raised for Origen by the work of Celsus against the Christians, λόγος ἀληθής.¹⁵³ In this work, Celsus reflected the unrest of spirit which attended the complication of Roman life from the time of Marcus Aurelius. The impact of Christian teaching and practice had produced a significant alien class and alien virtues which, together with the revival of national traditions among the subject peoples, were regarded as a threat to the unity of society and culture. Celsus's social and political objections to Christianity are summed up by Origen in the important passages in the *Contra Celsum*. Christianity is not only a defiance of Roman life and rule,¹⁵⁴ but also a dangerous discarding by Jews of the very mores which have providently shaped their own social and religious character.¹⁵⁵ In their failure to conform, the Christians have become seditious, ἀποτειχιζόντων εἰς αὐτοὺς καὶ ἀπορρήγνυντων ἀπὸ τῶν λοιπῶν ἀνθρώπων.¹⁵⁶ For Celsus the key to the preservation of the existing society is the rejection of moral and social idealism in deference to prevailing law and custom. Opposition to the existing mores, particularly on the part of a large and earnest segment of that society, is therefore intolerable. For practical reasons, if none other, existing law and custom must be received as just.

Origen's answer to Celsus is a defense of the Christians in terms of the validity of divine or natural law. Philosophically the doctrine of Origen is a synthesis of Platonic, Aristotelian, and Stoic elements, with the conception of divine providence and of divine law being Platonic and Stoic; the notion of the immateriality of creative and cognitive rationality being Platonic; and the idea of rational human nature, its freedom and its impulse to moral

¹⁵³ On the philosophical character of Celsus, cf. J. Geffcken, *Zwei Griechische Apologeten* (Leipzig, 1907) also, Johannes Muth, *Der Kampf des heidnischen Philosophen Celsus gegen das Christentum* (Mainz, 1899) 45–46: “. . . der philosophische Charakter des Celsus besteht in dem Mangel eines Charakters. Der heidnische Weise ist ‘ein Repräsentant jenes Synkretismus, wie er seit dem letzten vor christlichen Jahrhundert unter dem Einfluss philosophischer Erschöpftheit und griechisch-römischer Weltbürgerlichkeit entstanden war.’ (T. Keim, *Celsus' Wahres Wort* [Zurich, 1873] 204). Sein Philosophem entehrt daher vor allen des festen Grundes; es leidet an dem Mangel von Konsequenz; es enthält Widersprüche.”

¹⁵⁴ *Contra Celsum*, Bk. I, chap. 1, G.-C.S. vol. 2, p. 56: πρῶτον τῷ κελσῷ κεφάλαιόν ἐστι βουλομένῳ διαβαλεῖν χριστιανισμόν, ὡς συνθήκας κρύβδην πρὸς ἀλλήλους ποιουμένων χριστιανῶν παρὰ τὰ νενομισμένα, ὅτι τῶν συνθηκῶν αἱ μὲν εἰσι φανεραὶ, ὅσαι κατὰ νόμους γίνονται, αἱ δὲ ἀφανεῖς ὅσαι παρὰ τὰ νενομισμένα συντελοῦνται.

¹⁵⁵ *Contra Celsum*, Bk. II, chap. 1, G.-C.S. vol. 2, p. 126: τί οὖν καὶ λέγει πρὸς τοὺς ἀπὸ Ἰουδαίων πιστεύοντας, κατανοητέον. φησιν αὐτοὺς καταλιπόντας τὸν πατριον νόμον τῶν ἐνυχαγωγῆσθαι ὑπὸ τοῦ Ἰησοῦ ἡπατῆσθαι πάνν γελοίως καὶ ἀπηντομολογέειν εἰς ἄλλο ὄνομα καὶ εἰς ἄλλον βίον.

¹⁵⁶ *Contra Celsum*, Bk. VIII, chap. 2, G.-C.S., vol. 3, p. 222. Cf. Pierre Labriolle, *La Réaction Païenne* (Paris, 1934) 117–118.

excellence, being Platonic and Aristotelian. Of these elements, for Origen as for Clement, the most fundamental are the Platonic, while the scheme for the harmonizing of all elements is the Scriptural revelation concerning spiritual reality and moral duty.

In the *Contra Celsum*,¹⁵⁷ Origen presents in one important passage the contrast between that which is right by nature and that which is merely right by convention: δύο τοίνυν νόμων προκειμένων γενικῶς, καὶ τοῦ μὲν ὄντος τῆς φύσεως νόμου, ὃν θεὸς ἂν νομοθετῆσαι, ἑτέρον δὲ τοῦ ἐν ταῖς πόλεσι γραπτοῦ, καλὸν ὅπου μὲν μὴ ἐναντιοῦται ὁ γραπτὸς νόμος τῷ τοῦ θεοῦ μὴ λυπεῖν τοὺς πολίτας προφάνει ξένων νόμων ἔνθα δὲ τὰ ἐναντία τῷ γραπτῷ νόμῳ προστάσσει ὁ τῆς φύσεως τουτέστι τοῦ θεοῦ, ὅρα εἰ μὴ ὁ λόγος αἰρεῖ μακρὰν μὲν χαίρειν εἰπεῖν τοῖς γεγραμμένοις καὶ τῷ βουλήματι τῶν νομοθετῶν, ἐπιδιδόναι δὲ ἑαυτὸν τῷ θεῷ νομοθέτῃ καὶ κατὰ τὸν τούτου λόγον αἰρεῖσθαι βιοῦν, κἂν μετὰ κινδύνων καὶ μυρίων πόνων καὶ θανάτων καὶ ἀδοξίας τοῦτο δέη ποιεῖν.¹⁵⁸ It is the knowledge of νόμος φύσεως which enables one to evaluate and to repudiate, if necessary, any prevailing practices, as for example the customs of the Scythians. Origen contends, then, οὐκ ἄλογον οὖν συνθήκας παρὰ τὰ νενομισμένα ποιεῖν τὰς ὑπὲρ ἀληθείας. ὥσπερ γὰρ, εἰ ὑπὲρ τοῦ τύραννον προλαβόντα τὰ τῆς πόλεως ἀνελεῖν συνθήκας τινὲς κρύβδην ἐποιοῦντο, καλῶς ἂν ἐποίουν.¹⁵⁹ The opposition to certain laws is necessary because such laws are παρ' ἀληθεία. The mere existence of law and custom cannot be their validation.

The law of nature for Origen is not merely universalized convention; this law is rooted in the nature of things and of God, ὁ τῆς φύσεως τουτέστι τοῦ θεοῦ. God is not corporeal and therefore limited in being and in causal efficacy by space and time.¹⁶⁰ God as incorporeal, rather, is imperishable, perfect and therefore knowable as true being.¹⁶¹ In viewing the admirable order of things, one recognizes the creator of the world as the author producing one pattern of effect out of one constant nature.¹⁶² The goodness of God is manifested in the providence through which all things which the world requires

¹⁵⁷ On the transmission of the text of the *Contra Celsum*, cf. P. Koetschau, *Die Griechischen Christlichen Schriftsteller*, vol. 2, Einleitung, pp. LVII–LXVI, LXXIII; also J. Armitage Robinson, *The Philocalia of Origen* (Cambridge, 1893) Introduction, pp. xxviii–xxx.

¹⁵⁸ *Contra Celsum*, Bk. V, chap. 37, G.-C.S. vol. 3, p. 40.

¹⁵⁹ *Contra Celsum*, Bk. I, chap. 1, G.-C.S., vol. 2, p. 56.

¹⁶⁰ *De Principiis*, Bk. IV, chap. I, 28, 29. Cf. *Contra Celsum*, Bk. I, chap. 21; also, Numenius, in Eusebius, *Praeparatio Evangelica*, Bk. XV, chap. 17, Migne, PG 21, col. 1345: <ὥστε καλῶς ὁ λόγος εἶρηκε, φᾶς, εἰ ἔστιν ἄπειρος ὁ ὕλη, ἀόριστον εἶναι αὐτήν. εἰ δὲ ἀόριστος, ἄλογον· εἰ δὲ ἄλογος, ἄγνωστον. ἄγνωστον δὲ γε οὐσαν αὐτὴν ἀναγκαῖον εἶναι ἄτακτον. ὡς τεταγμένα γνωσθῆναι πάνυ δῆπουθεν ἂν εἴη ρᾶδιον· τὸ δὲ ἄτακτον οὐκ ἔστηκεν. ὁ τι δὲ μὴ ἔστηκε, οὐκ ἂν εἴη ὄν; also, Plato, *Laws*, 896 A–B.

¹⁶¹ *Contra Celsum*, Bk. VI, chap. 71; also, *De Principiis*, Bk. I, ch. I, 1.

¹⁶² *Contra Celsum*, Bk. I, chap. 23, G.-C.S., vol. 2, p. 73: τὸ ἐκ τῶν ὁρωμένων πειθόμενον τοῖς κατὰ τὴν εὐταξίαν τοῦ κόσμου σέβειν τὸν δημιουργὸν αὐτοῦ ἐνὸς ὄντος ἕνα.

are ordained, free from the contingency that what is ordained may be frustrated by a material principle.¹⁶³ The providence of God has provided especially for rational beings and created all things for the sake of man.¹⁶⁴ Man (τὸ λογικὸν ζῶον)¹⁶⁵ is made in the image of God, he is superior to all other animals in the possession of reason, and this rational nature cannot be altered in its original features.¹⁶⁶

Origen rejects any suggestion that reason in man can be reduced to what is alleged to be parallel behavior among the lower animals.¹⁶⁷ While reason is an aspect of the formal determination of man, the behavior which depends upon reason is not instinctive or necessary. Reason is basically an apprehensive faculty and derivatively a directive faculty. It is the nature of man *qua* rational to know God and the reasons of things which have been ordained by God.¹⁶⁸ In the exercise of theoretical reason, the individual participates in the eternal reason of God and thus comes to see the truth of all things.¹⁶⁹ This knowledge, the desire for which is never entirely frustrated in man, is good not only for its own sake but also as a guide in the practical vocation of *ὁμοίωσις θεῷ κατὰ τὸ δυνατόν*.¹⁷⁰ Origen draws upon the old notion of the *κοινὰ ἔννοιαι* as indicating the concepts which all men will discover as the intelligible truth implicit in all experience.¹⁷¹

In the nature of things, rationality entails freedom. Origen is very clear on this. It is the capacity of the rational faculty, as we have noted, to discern and distinguish among things, particularly among things as good and evil. And this faculty to distinguish entails also the faculty to select that which is

¹⁶³ Cf. *Comm. In Gen.* I, I: ad Caput I, vers 12, Migne PG 12, coll. 48–49: πόθεν δε καὶ τὸ μετρεῖν τῆς ὑποκειμένης οὐσίας τὸ τοσόνδε, ὡς διαρκέσαι τῇ τηλικούτου κόσμου ὑποστάσει; οἰονεὶ γὰρ πρόνοια τις πρεσβυτέρα θεοῦ, ἀναγκαίως τὴν ὕλην ἔσται ὑποβεβληκυῖα τῷ θεῷ, προνοουμένη τὴν τέχνην τὴν ἐνυπάρχουσαν αὐτῷ μὴ κενοπαθῆσαι, οὐκ οὐσης οὐσίας, ἣ ὁμιλῆσαι δυνάμενος κατεκόσμησε τὸ τηλικούτο κοσμον κάλλος.

¹⁶⁴ *Contra Celsum*, Bk. IV, chap. 79.

¹⁶⁵ *Contra Celsum*, Bk. III, chap. 69.

¹⁶⁶ *De Principiis*, Bk. III, chap. VI, 1, G.-C.S. vol. 22, p. 280: Hoc ergo quod dixit >>ad imaginem dei fecit eum<< et de similitudine siluit, non aliud indicat nisi quod >imagine< quidem dignitatem in prima conditione percepit, . . . ; also, *Contra Celsum*, Bk. IV, chap. 83, G.-C.S., vol. 2, p. 354: προκατειληφότες το “κατ’ εἰκόνα” γεγονέναι θεοῦ τὴν ἀνθρωπίνην ψυχὴν καὶ ὁρῶντες ὅτι ἀμηχανόν ἐστι τὴν “κατ’ εἰκόνα” θεοῦ δεδημιουργημένην φύσιν πάντῃ ἀπαλεῖψαι τοὺς χαρακτήρας αὐτῆς.

¹⁶⁷ *Contra Celsum*, Bk. IV, chap. 83.

¹⁶⁸ *De Principiis*, Bk. II, chap. XI, 4, G.-C.S. vol. 22, p. 187: “. . . multo amplius et super omnem comparationem eorum, quae a deo facta pervidemus, ineffabili desiderio ardet animus agnoscere rationem. Quod desiderium, quem amorem sine dubio a deo notis insitum credimus; . . .”

¹⁶⁹ *De Principiis*, Bk. I, chap. I, 1.

¹⁷⁰ *De Principiis*, Bk. III, chap. VI, 1.

¹⁷¹ Cf. *Contra Celsum*, Bk. IV, chap. 84, G.-C.S., vol. 2, p. 355: ἐπεὶ κέλσῳ δοκεῖ μὴδ’ ἄλογα εἶναι τὰ κατὰ τὰς κοινὰς πάντων ἐννοίας ἄλογα καλούμενα.

approved as good.¹⁷² This selecting is autonomous action, τὸ ἀντεξούσιον; external influences are the conditions but never the causes of the actions of men. The actual order of conduct, whether right or wrong, depends upon the individual and not upon extrinsic causes or any alleged pressure of fate.¹⁷³ It is only because of man's freedom that one can speak of virtue.¹⁷⁴

In his defense of human rationality and human freedom, Origen sets in place the epistemological and psychological foundation for an adequate review of existing culture. Theoretically, it is possible for the individual to know the structures and potentialities of things as these have been established in the nature of existence by God. Rational apprehension is *knowledge* as opposed to mere opinion, and knowledge is as true as being is real. Practically, it is possible for the individual to apply this knowledge in the perfection of his own being through the selection rather than the acceptance of conditions and circumstances. These faculties, of rationality and freedom, moreover, are the possessions of all men, making possible not only common apprehension but also common aspiration.¹⁷⁵

The foundations of the best life for men in society are the principles of the benevolent life (τὸ φιλόανθρωπον ὄση δύναμις), which principles all men recognize as the law of nature and of God. These principles are contained in the common notions of right and wrong, good and evil with which all men are conversant.¹⁷⁶ As stated in Origen's commentary on the *Epistle to the Romans*, ὁ γὰρ γραπτὸς ἐν ταῖς καρδίαις νόμος, καὶ ἐν ἔθνικοις φύσει τὰ τοῦ νόμου ποιοῦσι οὐκ ἄλλος ἐστὶ τοῦ κατὰ τὰς κοινὰς ἐννοίας φύσει ἐγγεγραμμένου τῷ ἡγεμονικῷ ἡμῶν καὶ τρανωτέρου μετὰ τῆς συμπληρώσεως τοῦ λόγου ὁσημέραι γινομένου. And further, παρὰ δὲ πάντα ταῦτα λέγεται νόμος ὁ κατὰ τὰς κοινὰς ἐννοίας ἐνεσπαρμένος τῇ ψυχῇ καὶ . . . ἐγγεγραμμένος τῇ καρδίᾳ λόγος, προστατικὸς μὲν ὦν ποιητέον, ἀπαγορευτικὸς δὲ ὦν οὐ ποιητέον.¹⁷⁷ Recognizing the law of nature as the true criterion of what is right and good, the individual must seek to order his life in accordance with it, (κατ' αὐτὸν βιοῦν

¹⁷² *De Principiis*, Bk. III, chap. I, 3, G.-C.S., vol. 22, pp. 197–198: ὅθεν ἐπεὶ ἐν τῇ φύσει τοῦ λόγου εἰσὶν ἀφορμαὶ τοῦ θεωρῆσαι τὸ καλὸν καὶ τὸ αἰσχρόν, αἷς ἐπόμενοι θεωρήσαντες τὸ καλὸν καὶ τὸ αἰσχρόν αἰρούμεθα μὲν τὸ καλὸν ἐκκλίνομεν δὲ τὸ αἰσχρόν, ἐπαινετοὶ μὲν ἐσμὲν ἐπιδόντες ἑαυτοὺς τῇ πράξει τοῦ καλοῦ, ψεκτοὶ δὲ κατὰ τὸ ἐναντίον. Cf. P. Koetschau, G.-C.S. vol. 22, Einleitung (Die griechischen Fragmente), pp. CI ff.

¹⁷³ *De Principiis*, Bk. III, chap. I, 6, G.-C.S., vol. 22, p. 201: ὅτι δὲ ἡμέτερον ἔργον τὸ βιώσαι καλῶς ἐστὶ, καὶ αἰτεῖ ἡμᾶς τοῦτο ὁ θεὸς οὐκ αὐτοῦ ὃν οὐδὲ ἐξ ἑτέρου τινὸς παραγινόμενον ἢ, ὡς οἴονταί τινες, ἀπὸ εἰμαρμένης, ἀλλ' ὡς ἡμέτερον ἔργον, also *Contra Celsum*, Bk. III, chap. 69.

¹⁷⁴ *Contra Celsum*, Bk. IV, chap. 3.

¹⁷⁵ *Contra Celsum*, Bk. VIII, chap. 50.

¹⁷⁶ *Contra Celsum*, Bk. VIII, chap. 52. Cf. J. Kaerst, *Geschichte des Hellenismus*, vol. II, p. 135, note 2.

¹⁷⁷ *Comment. In Epist. Ad Rom.*, Bk. VI, 8; Migne, PG 14, col. 1077.

πειρώμεθα).¹⁷⁸ Origen stresses the distinction between real and apparent good, in declaring, *εἰ δ' ηκριβώκει κέλσος τὴν τοῦ συμφέροντος ἔννοιαν καὶ ἑωράκει ὅτι τὸ κυρίως συμφέρον ἀρετὴ ἐστὶ καὶ ἡ κατ' ἀρετὴν πράξις*.¹⁷⁹

Knowledge of the law of nature is the foundation of the impulse in men to establish in society a rational and just order. This order, which all men are capable of introducing and preserving, is but part of the whole of providence which governs all things for the best.¹⁸⁰ In all human activity providence governs through the agency of right reason in those who choose to realize the intention of nature.¹⁸¹ Right reason is the foundation of all good (*φιλανθρωπία*) which men do for each other in society.¹⁸² It is through right reason that cities, having been established, are filled with many arts and good laws.¹⁸³ Constitutions and governments are, therefore, either properly or improperly so termed; the proper authorities are those which exhibit certain virtuous tendencies and actions.¹⁸⁴ As the life of virtue is the duty of man, the moral law, which alone is law in the proper sense, is the foundation of all just governance in society, (*ὁ φύσει βασιλεὺς τῶν πάντων οὗτός ἐστιν*),¹⁸⁵ whatever the commands of enacted law. Just law is that law which agrees with the unchanging principles of right. An unjust law, therefore, must not be obeyed.¹⁸⁶

In his attack upon unjust law, Origen rejects any idea of the legitimacy of existing authority in the person of the sovereign. Contrary to the contention of Celsus that any opposition to the ruler is anarchical,¹⁸⁷ Origen

¹⁷⁸ *Contra Celsum*, Bk. V, chap. 40, G.-C.S., vol. 3, p. 44.

¹⁷⁹ *Contra Celsum*, Bk. VIII, chap. 62, G.-C.S., vol. 3, p. 278; Cf. Otto Schilling, *Naturrecht und Staat*, 63.

¹⁸⁰ *Contra Celsum*, Bk. VIII, chap. 52.

¹⁸¹ *Contra Celsum*, Bk. IV, chap. 82, G.-C.S. vol. 2, p. 352: ἀλλ', ὡς προείπον, τὴν μὲν φύσιν ἐν τούτοις θαυμαστόν· τὸν δ' ἄνθρωπον, ἐπιλογίσασθαι τὰ περὶ πάντων δυνάμενον καὶ κοσμήσαι τὰ πάντων, ἅτε συνεργούντα τῇ προνοίᾳ ἀποδέκτεον, καὶ οὐ μόνως προνοίας θεοῦ ἔργα ἐπιτελούντα ἀλλὰ καὶ τῆς ἑαυτοῦ.

¹⁸² *Contra Celsum*, Bk. IV, chap. 83.

¹⁸³ *Contra Celsum*, Bk. IV, chap. 81.

¹⁸⁴ *Ibid.*, G.-C.S. vol. 2, p. 351: πόλεις οὖν παρ' ἀνθρώποις μετὰ πολλῶν ὑπέστησαν τεχνῶν καὶ διατάξεως νόμων· πολιτεῖαι δὲ καὶ ἀρχαὶ καὶ ἡγεμονίαι ἐν ἀνθρώποις ἦτοι αἱ κυρίως εἰσὶν οὕτως καλούμεναι σπουδαῖαι τινες ἕξεις καὶ ἐνέργειαι.

¹⁸⁵ *Contra Celsum*, Bk. V, chap. 40, G.-C.S. vol. 3, p. 44. This notion ascribed to Pindar appears in the Stoic Chrysippus (von Arnim, *Stoicorum Veterum Fragmenta*, III, 314) and in excerpts ascribed by Stobaeus to the Pythagorean Archytas (*Anthologium*, IV, Wachsmuth-Hense, 82). Origen is more concerned here, it seems, with refuting any atheistic interpretation of the foundation of νόμος than with rejecting the idea of Pindar as such. Cf. J. Burnet, *Greek Philosophy*, 106–107, 120–121.

¹⁸⁶ *Contra Celsum*, Bk. VIII, chap. 26, G.-C.S. vol. 3, p. 242: εἰ μὲν γὰρ κατὰ τὸν κειμένον ἐν ταῖς πόλεσι, κατασκευάζτω ὅτι συνάδουσι τοῖς θεοῖς νόμοις· εἰ δὲ τοῦτο μὴ δυνατὰ . . . δηλονότι οὐδὲ κυρίως νόμους ἢ φαύλων νόμους, οἷς οὐ πιστευτέον “πειθαρχεῖν” γὰρ “δεῖ μᾶλλον θεῷ ἢ ἀνθρώποις.”

¹⁸⁷ *Contra Celsum*, Bk. VIII, chap. 68.

holds that the unjust ruler violates the intention of providence, and that under such violation no authority can really prevail. Arbitrary power always seeks to ignore and to invalidate the law of nature, and to find pretexts for acts of violence and injustice. Tyranny and injustice must be seen for what they are.¹⁸⁸ The fear of anarchy is really an exaggerated passion in those who warn of resistance to government. The great multitude of men are willing to recognize the legitimate sovereign and are prepared to obey the law of a just state.¹⁸⁹ For it is seen that the good ruler governs by divine permission.

Origen is not opposed, therefore, to all law and order in society. Where men are able to see the agreement of enacted laws with the law of nature, it is their duty to obey such law and not to resort to any pretense of loyalty to other customs. The recognition of a higher law must not become a pretext for anarchy.¹⁹⁰ It is at this point that Origen appears to accept in the main the legitimacy of any rule which occupies itself with the restraining of evil.¹⁹¹ Resistance to the governing powers is unwarranted, therefore, where it is seen that such authorities exist to punish the wrong and to praise and foster the good. This, of course, would properly exclude those powers which are hostile to those who are committed to obedience to the law of God.

In rejecting the idea of the ruler as the ground of his own authority, Origen also repudiates the notion of the ruler as the source of all possessions. Origen attributes this view to Celsus, yet it was but another aspect of the Hellenistic conception of the king "as himself the state, its constitution, and the link with the world order" which centered in the political thought of the Pythagoreans.¹⁹² In his strict monism, Origen insists that the providence of God is the source of all good for men of whatever sort. Property, which men receive for their use, cannot be received from the ruler, who may be the agent but never the source of what pertains to man's well-being.¹⁹³

¹⁸⁸ *Contra Celsum*, Bk. VIII, chap. 65.

¹⁸⁹ *Contra Celsum*, Bk. VIII, chap. 65, G.-C.S. vol. 3, p. 281: ἀλλοτρίας ἀνδρείων καὶ μεγαλοψύχων ἀνδρῶν καὶ τὴν καρτερίαν ὡς μεγίστην ἀρετὴν συναναλαβεῖν ταῖς ἄλλαις ἐθελόντων.

¹⁹⁰ Origen actually cautions against avoidable incidents which may be exploited by the authorities, as in *Contra Celsum*, Bk. VIII, chap. 65, G.-C.S. vol. 3, p. 281: ἐνθα μέντοι οὐδὲν ἐναντίον πράττομεν νόμῳ καὶ λόγῳ θεοῦ, οὐ μεμῆναμεν οὐδ' ὀρμῶμεν καθ' ἐάντων ἐγείρειν βασιλέως ἢ δυνάτου θυμὸν, ἐπὶ ἀκικῶς καὶ βασανιστήρια ἢ καὶ θανάτους ἡμῶς φέροντα.

¹⁹¹ *Comment. In Epist. Ad Rom.*, Bk. IX, 26, Migne, PG 14, col. 1227: ". . . in potestate tamen nostra est ut visu vel ad bona vel ad mala utamur . . . et in hoc est justum iudicium Dei quod his quae ille ad usus bonos dedit, nos abutimur ad impia et iniqua ministeria. Ita ergo et potestas omnis a Deo data est ad vindictam quidem malorum, laudem vero bonorum."

¹⁹² Cf. E. R. Goodenough, "The Political Philosophy of Hellenistic Kingship," *Yale Classical Studies* I, 101.

¹⁹³ *Contra Celsum*, Bk. 8, chap. 67, G.-C.S., vol. 3, p. 284: ἡμεῖς δὲ φαμεν ὅτι οὐ πάντως δέδοται τούτῳ τὰ ἐπὶ γῆς ὅλα, οὐδὲ ὁ τι ἂν λαμβάνωμεν ἐν τῷ βίῳ, παρὰ τούτου λαμβάνομεν. δικαίως γὰρ καὶ καλῶς λαμβάνοντες, ἀπὸ τοῦ θεοῦ καὶ τῆς προνοίας αὐτοῦ λαμβανομεν.

For Origen, as for Philo and Clement, ὁ τῆς φύσεως τουτέστι τοῦ θεοῦ is the same for revelation as for reason. This is the law which was made manifest to Moses. The law of Moses is the natural law, insofar as Moses prescribed only those things which were beneficial to mankind.¹⁹⁴ Moreover, the law of Moses and the moral law of the Christians are expressions of the same truth. Whatever contradictions may appear in the examination of these two codes arise from the failure to discover the twofold sense of the Old Testament, one literal and the other spiritual. Contradiction remains only for those who insist upon a literal interpretation of the text.

The investigation of the character and sources of the doctrine of natural law in Origen would seem to show that this doctrine is fundamentally Platonic in its philosophic character and not Stoic.¹⁹⁵ The Stoics largely gave modified expression and emphasis to ethical notions which had been current in Hellenic thought, but grounded their formulations in a universalism which overcame the social and political bias of Hellenic society. In Middle Platonism, the Stoic ideas were brought into systematic relation to older Platonic thought which really supported in a more fundamental way the concept of natural justice. It is in Origen that the synthesis of Platonic, Stoic and Christian ideas yields a truly adequate doctrine of natural law which is, more so than in Clement, a defense of the rational nature of man, of human freedom, and of the validity of common moral notions as the foundation of just order in society.

The influence of the ethical and political thought of Origen upon the legal traditions of Greek Christendom is difficult to assess because of the general disfavor under which he fell as the result of theological views which came to be regarded as heretical. To attempt to trace out the extent to which later patristic writers made use of the *Contra Celsum* would itself be the task of a special study. That the Cappadocians, Basil of Caesarea and Gregory Nazianzus were well acquainted with Origen is known through their work in the preparation of the *φιλοκαλία*.¹⁹⁶ This compilation of texts from Origen's writings, although generally inferior to the original material, had a considerable circulation. There is also evidence that the *Contra Celsum* was known to Eusebius, to Chrysostom and to Jerome.¹⁹⁷ What is important for our interest here is the continuity in these fathers of a doctrine of law and of kingship

¹⁹⁴ *Contra Celsum*, Bk. V, chap. 42; also Bk. I, chap. 16.

¹⁹⁵ Cf. for example, the statement of Kenneth M. Setton, *Christian Attitude Toward the Emperor in the Fourth Century* (New York, 1941) 94.

¹⁹⁶ Cf. *Origenis Philocalia*, edited by J. Armitage Robinson (Cambridge, 1893) 1-4.

¹⁹⁷ Cf. Paul Koetschau, *Die Griechischen Christlichen Schriftsteller*, vol. 2, Einleitung, p. LVIII; also, Eusebius, *Hist. Eccl.*, VI, 36, 1; Chrysostom, *Hom. VI in Ep. ad Cor.*; and Jerome, *Ep. LXXXIV*.

which had been stated essentially by Origen, and which embraced those philosophic elements which are recognizable as Platonic and Stoic. This doctrine was the Christian alternative to the conception of *lex regia* of the Roman lawyers¹⁹⁸ and to the largely pagan notion of νόμος ἔμφυχος as stated, for example, by Themistius in the fourth century.¹⁹⁹ In general, Christian writers, while accepting the ideal of imperial authority, urged that the sovereign is responsible to the natural principles of law, and that all authority really flows from God. The net effect of patristic thought was the softening of the growing determination in the later empire to regard the emperor as the divinely appointed source of law.

The inclination of Christian writers to accept and to praise the Emperor as the divinely appointed sovereign is best seen in Eusebius of Caesarea. In his panegyric on Constantine the Great, Eusebius speaks of the ruler as ἀποτελεσθεὶς σώφρων, ἀγαθὸς, δίκαιος, ἀνδρείος, εὐσεβὴς φιλόλεος· ἀληθῶς δὲ καὶ μόνος φιλόσοφος βασιλεὺς οὗτος.²⁰⁰ The Emperor, however, receives his character and authority from the Logos who is ὃν δὴ ζῶντα λογὸν καὶ νομὸν καὶ σοφίαν, ἀγαθοῦ τε πλήρωμα παντὸς ὁ γεννήσας ὑποστησάμενος μέγιστον, ἀγαθὸν δόμα τοῖς ὑπὸ τὴν βασιλείαν πᾶσιν ἐδωρήσατο and who is πατὴρ δὲ λόγου καὶ σοφίας, πηγὴ τε φωτὸς καὶ ζωῆς, ἀληθείας τε καὶ ἀρετῆς ταμίας, καὶ δὴ βασιλείας αὐτῆς, ἀρχῆς τε πάσης καὶ ἐξουσίας καθηγεμών.²⁰¹ The moral duty of the ruler, therefore, is to look to the divine, and to govern all things according to the divine archetype.²⁰²

For Eusebius the marks of distinctly human existence are the rational faculties which are present to all men as οἱ κατὰ φύσιν αὐτομαθεῖς λογισμοὶ and through which come σοφίας ἔννοιαι, . . . φρονήσεως καὶ δικαιοσύνης σπέρματα . . . αἱ τῶν τεχνῶν καταλήψεις . . . ἀρετῆς ἐπιστήμη.²⁰³ Both excellence of individual life and the blessings of culture are attainable because there is ἐν ἀνθρώπῳ μία ψυχὴ καὶ μία λογικὴ δύναμις.²⁰⁴ Reason in the soul is νόμος θεῖος, guiding human life from within, and teaching βασιλικὴν τὴν κατὰ τὸν ὀρθὸν λόγον πορείαν εἶναι διδασκων.²⁰⁵ The prescriptions of νόμος θεῖος

¹⁹⁸ Cf. *Ulpianus, Digesta*, I, IV, 1 (*Corpus Iuris Civilis*), edited by T. Mommsen and P. Krueger (Berlin, 1928) 35: "Quod principi placuit, leges habet vigorem: utpote cum lege regia, quae de imperio eius lata est, populus ei et in eum omne suum imperium et potestatem conferat."

¹⁹⁹ *Themistius, Orationes*, edited by William Dindorf (Leipzig, 1832).

²⁰⁰ *De Laudibus Constantini*, chap. V, Migne, PG 20, col. 1336.

²⁰¹ *De Laud. Constant.*, chap. III, Migne, PG 20, col. 1332.

²⁰² *Ibid.*, p. 1329; also chap. V, p. 1337.

²⁰³ *De Laud. Constant.*, chap. V, Migne, PG 20, col. 1333.

²⁰⁴ *De Laud. Constant.*, chap. XII, Migne, PG 20, col. 1393.

²⁰⁵ *Praeparatio Evangelica*, Bk. VI, chap. 6, Migne, PG 21, col. 425; also, *ibid.*, νόμος δε θεῖος αὐτῇ συνεξευγμένος κατὰ φύσιν, λαμπτήρος καὶ φωστήρος δίκην ἐπιφωνεῖ ἔνδοθεν ὑπηγῶν αὐτῇ.

are attainable insofar as man as rational is able to choose what is good *διὰ δὲ τῆς . . . αὐτεξούσιον ἐλευθέριας*.²⁰⁶ The moral conditions of men are not unalterable, in that it is always with its own power (*οἰκειὰ κινήσει*) that the soul turns away from the laws of nature (*ὁ κατὰ φύσιν νόμος*).²⁰⁷

Among the Cappadocians, Basil of Caesarea defends the freedom of man, making human choice rather than God the source of evil.²⁰⁸ Man's power of choice, which follows from his rational nature, frees him from all psychological necessity. Being made in the image of God, man can know the good and follow closely the life according to nature.²⁰⁹

In Gregory of Nazianzus, it is reason which is the criterion of what is just: *καὶ ὁ λόγος ὡς, πάνσοφος τοῦ φονευτοῦ καὶ προστατοῦ, καὶ παρανόμου καὶ νομοθετοῦ, ἢ ἢν' οἰκειότερον εἶπο, τοῦ ἐχθροῦ καὶ ἐκδικητοῦ, κατὰ τὸν ἡμέτερον λόγον*.²¹⁰ All things are ordered for the best by *νόμος θεῖος*.²¹¹ The essence of law and of authority is benevolence: *νόμοι, καὶ νομόθεται, καὶ βασιλεῖς, οἷ . . . ἅπασιν πρόκεινται φιλανθρωπία κοινὴ τε καὶ ἄφθονος, οὕτω δὲ καὶ τὴν τῶν νόμων μετουσίαν προθέντες ἅπασιν ἐλευθέρους*.²¹² While the sovereign is to be honored *τῇ μεγάλῃ προσηγορίᾳ*, there is demanded a degree of dignity which is not conferred by the office itself (*οὐ ποιεῖται τοῦ μέτρου τῆς τιμῆς κύριον τὸν τῆς βασιλείας*). Kingship is properly held as the prize of virtue (*ἀρετῆς ἄθλον*) and not as the gift of fortune (*ἄρπαγμα τύχης*).²¹³ Without the restraint of virtue, all kingship is tyranny (*εἰ μὴ βασιλικῶς, τυραννικῶς γε παντάπασιν διανοεῖται περὶ ἡμῶν*).²¹⁴ For Gregory, all social and political virtue has its origin in God.²¹⁵

In Gregory of Nyssa, there is the affirmation of man's rational nature (*ἄνθρωπος ἐστὶ ποίημα θεοῦ λογικόν, κατ' εἰκόνα γενόμενον τοῦ κτίσαντος αὐτόν*)²¹⁶ and of the freedom of choice which follows upon this rationality (*αὐτεξούσιον πρὸς τὸ δοκοῦν ἔχειν τὴν γνώμην*). All men are therefore capable of virtue.²¹⁷ Rational virtue has its foundation in God, *ἡ θεία φύσις, ἡ πηγή*

²⁰⁶ *Praeparatio Evangelica*, Bk. VI, chap. 6, Migne, PG 21, col. 425.

²⁰⁷ *Ibid.*

²⁰⁸ Basil, *Quod Deus Non Est Auctor Malorum*, Migne, PG 31, coll. 332–333.

²⁰⁹ *Ibid.*, 344: *καὶ ἔχει ἐξουσίαν καὶ δύναμιν, ἐπιμένονσα τῇ τοῦ καλοῦ θεωρίᾳ καὶ τῇ ἀπολαύει τῶν νοητῶν, διαφυλάσσειν αὐτῆς τὴν κατὰ φύσιν ζωὴν*.

²¹⁰ *Oratio* IV, chap. 97, Migne, PG 35, col. 632.

²¹¹ *Oratio* II, chap. 18, Migne, PG 35, col. 428: *ὥσπερ δὴ νόμος θεῖος, καὶ κάλλιστα ἔχων ἐπὶ πάσης αὐτοῦ τῆς κτίσεως, ὅση τε ὁρατὴ, καὶ ὅση ὑπὲρ τὴν αἴσθησιν*.

²¹² *Oratio* IV, chap. 129, Migne, PG 35, col. 629.

²¹³ *Oratio* IV, chap. 46, Migne, PG 35, col. 569.

²¹⁴ *Oratio* IV, chap. 61, Migne, PG 35, col. 584.

²¹⁵ *Oratio* IV, chap. 23, Migne, PG 35, col. 888.

²¹⁶ *Gregory of Nyssa, Faciamus Hominem, Oratio* I, Migne, PG 44, col. 268.

²¹⁷ *De Anima*, Migne, PG 45, pp. 210–212.

πάσης ἐστὶ τῆς ἀρετῆς.²¹⁸ Virtue consists in the supremacy of reason over the passions, and this supremacy is the ground of all order in human existence. Gregory of Nyssa regards authority in the state as dependent upon virtue and as arising in the person of the sovereign by divine permission (κατὰ θείαν ψήφον).²¹⁹ The true sovereign is he who is possessed of the imperial virtues (εἶδον ἐγὼ το ὑψηλὸν ἔρνος, τὸν ὑψίκομον φοινίκα . . . τὸν ταῖς βασιλικαῖς ἀρεταῖς)²²⁰ of goodness, justice, wisdom, courage and piety. The proper conduct of the sovereign in relation to his people is the imitation of God.

The stormy career of Chrysostom was marked by his criticism of the injustices of his society, and his attacks upon the conduct of the imperial office under the empress Eudoxia. The basic contention of Chrysostom in these matters is the moral responsibility of authority, and here his position is clearly established on the principles of natural law. As expressed in his commentary on the *Psalms*, ὁ τοίνυν νόμος τοῦτο μάλιστα ἔχει τὸ ἐξαίρετον, τὸ ἀθάνατον, τὸ διηνεκές, καὶ ὁ τῆς κτίσεως, καὶ ὁ φυσικὸς, καὶ ὁ τῆς φιλοσοφίας, καὶ τῆς Καινῆς Διαθήκης,²²¹ and further ἐντολαί εἰσιν αἱ τῇ φύσει δοθεῖσαι ἐξ ἀρχῆς.²²² All men have within them the knowledge of the natural law (ὁ φυσικὸν νόμον)²²³ and of the distinction of good and evil.²²⁴

For Chrysostom, the natural principles of right and justice are to be contrasted to the merely conventional or written rules (οἱ ἀνθρώπινοι νόμοι) which are imprecise and perishable and are often the reflection of human passion.²²⁵ The divine law requires that which is fitting and advantageous in legislation in order that the laws may be brought up to and maintained at the level of virtue. The true king is one who, maintaining the supremacy of reason over passion, envy, ambition, and pleasure, rules in accordance with the divine laws. For the virtuous ruler, his relations with his people are as gentle as those of a father with his children.²²⁶

It is not necessary to carry further this citation of patristic natural law ideas. What is significant is the recognition of the continuity of the basic concepts emerging out of a synthesis of Greek and Christian ideas in Clement

²¹⁸ *De Anima et Resurrectione*, Migne, PG 46, col. 104.

²¹⁹ *Oratio funebris de Placilla imperatrice*, Migne, PG 46, col. 884.

²²⁰ *Oratio consolatoria in funere Pulcheriae*, Migne, PG 46, col. 865.

²²¹ *Chrysostom, Expositio in Psalmum*, CX, Migne, PG 55, col. 288.

²²² *Ibid.*, col. 287.

²²³ *Expos. in Psalmum* CX, Migne, PG 55, col. 287.

²²⁴ *Expos. in Psalmum*, CXLVII, Migne, PG 55, col. 482.

²²⁵ *Expos. in Psalmum*, CX, Migne, PG 55, col. 288.

²²⁶ *Ecloga de Imperio, Potesta et Gloria*, Hom. XXI, Migne, PG 63, col. 695: καὶ γὰρ οὗτός ἐστιν ἀληθῶς βασιλεὺς ὁ θυμοῦ καὶ φθόνου καὶ ἡδονῆς κρατῶν, καὶ πάντα ὑπὸ τοὺς νόμους ἄγων τοῦ θεοῦ, καὶ τὸν νοῦν ἐλεύθερον τηρῶν, . . . ὁ γὰρ τοῖς πάθεσι τῆς ψυχῆς τὸν λογισμὸν ἐπιστήσας, ῥαδίως ἂν ἐπισταίῃ καὶ ἀνθρώποις μετὰ τῶν θείων νόμων, ὥστε αὐτὸν ἐν πατρὸς τάξει τοῖς ἀρχομένοις εἶναι, μετὰ πάσης ἡμορότητος ὁμιλοῦντα ταῖς πόλεσιν.

and Origen. This tradition is important as part of what has been called the theological phase of Roman jurisprudence.²²⁷ This phase embraced not only the idea of the limitation of the power of the ruler by church prerogatives and canon law, but also the notion of the application to secular matters themselves of the principles of divine or natural law. It is this latter aspect of the influence of Christian thought that is important for this study. The idea of νόμος ἔμφυχος, of the legislator or ruler as himself superior to the letter of the enacted or written laws, appears in Hellenistic times not only in Pythagorean fragments²²⁸ (and later in Themistius) but also in Philo and Clement, as we have noted. The tendency, as seen for example in Themistius, to regard the ruler as himself the character and source of law (νόμον ἔμφυχον εἶναι φησὶ τὸν βασιλέα, νόμον θεῖον ἄνωθεν ἥκοντα ἐν χρόνῳ τοῦ δ' αἰῶνος χρηστοῦ)²²⁹ was, however, a dangerous qualification of the Christian idea of the supremacy of divine or natural law to all political authority.

The idea of νόμος ἔμφυχος appears only once in the *Corpus Juris Civilis*.²³⁰ Its importance to Justinian and to the jurists of his age must be considered in the light of their support of the idea of sovereignty as held only by the permission of God. As stated in the *Code*, *Deo auctore nostrum gubernantes imperium, quod nobis a caelesti maiestate traditum est, et bella feliciter peragimus et pacem decoramus et statum rei publicae sustentamus*.²³¹ In the *Institutes*, moreover, there is the explicit recognition of the existence of natural law as . . . *quod natura omnia animalia docuit*.²³² It appears from this passage that *ius naturale* is the primitive and veridical guidance of nature for all creatures. It is the dictate of *ius naturale*, for example, that all men are to be free rather than enslaved. In the same passage, however, *ius gentium* is distinguished as that which is sanctioned by *naturalis ratio* among all peoples (*quasi quo iure omnes gentes utuntur*).²³³ The exposition of these notions in the *Institutes* is really more Roman than Greek. There was the

²²⁷ Cf. Constantine Hohenlohe, *Einfluss des Christentums auf das Corpus juris Civilis* (Vienna, 1937) 29.

²²⁸ On the dating of the fragments of Diotogenes, Sthenidas and Ecphantus, cf. Louis De Latte, *Les Traités de la Royauté d'Ecphante, Diotogène et Sthenidas* (Liege, 1942) and E. R. Goodenough, "The Political Philosophy of Hellenistic Kingship," *Yale Classical Studies*, I, 66-61.

²²⁹ *Orationes*, V, *Ad Iovianum*, Dindorf, p. 76.

²³⁰ *Novellae*, CV, 2, 4, edited by Rudolph Schoell and William Kroll (Berlin, 1928) 507: πάντων δὲ δὴ τῶν εἰρημένων ἡμῶν ἡ βασιλείως ἐξηγήσθω τύχη, ἥ γε καὶ αὐτοὺς ὁ θεὸς τοὺς νόμους ὑπέθηκε νόμον αὐτὴν ἔμφυχον καταπέμψας ἀνθρώποις; Cf. Artur Steinwenter, "NOMOS ΕΜΨΥΧΟΣ. Zur Geschichte einer politischen Theorie," *Anzeiger der Akademie der Wissenschaften in Wien*. LXXXIII (1946) Nr. 19, pp. 250-268.

²³¹ *Codex Justinianus*, I, XVII, 1, edited by Paul Krueger (Berlin, 1929) 69.

²³² *Institutiones*, I, II, edited by T. Mommsen and P. Krueger (Berlin, 1928) 1.

²³³ *Ibid.*, I, II, 1, p. 1.

tendency among the Roman jurists either to identify *ius naturale* and *ius gentium* as with Gaius, Paulus, and Florentius,²³⁴ or to locate *ius naturale* in some pre-political state of nature, as with Ulpian.²³⁵ In the *Institutes* there is a virtual identification of *ius naturale* and *ius gentium*, which is confusing.²³⁶

What is important in the *Institutes* is the recognition of *naturalis ratio* as itself validating the things which are universally regarded as beneficial for man. That this reflects Greek as well as Roman influence is reasonable to conclude in the light of the adoption of Greek legal ideas and Greek terms from the time of the reign of Constantine.²³⁷ With this influence came a new importance for the concept of natural justice, and for the philosophical and theological supports behind this concept.²³⁸

²³⁴ Cf. A. Schmekel, *Die Philosophie der Mittleren Stoa*, 456.

²³⁵ *Digesta*, I, I, 4, Mommsen-Krueger, 29.

²³⁶ *Institutiones*, II, I, 11, p. 10: “. . . quarundam enim rerum dominum nasciscimur iure naturali quod, sicut diximus, appellatur ius gentium. . .”

²³⁷ Cf. Paul Collinet, *Études Historiques Sur le Droit de Justinien* (Paris, 1912) 47 ff.

²³⁸ Cf. Charles Diehl, *Justinien et la Civilisation Byzantine au VI^e Siècle* (Paris, 1901) 258.